

**MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 94**  
**Minutes of Meeting of Board of Directors**  
**March 3, 2026**

The Board of Directors (the "Board") of Montgomery County Municipal Utility District No. 94 (the "District") met in regular session, open to the public on March 3, 2026, in accordance with the duly posted notice of meeting, and the roll was called of the duly constituted members of said Board, as follows:

Jerry Rueschhoff, President  
Roger Olsen, Vice President  
Ray Waymel, Secretary  
Michael Pachuiolo, Assistant Secretary  
JT Dibble, Assistant Secretary

all of whom were present, thus constituting a quorum.

Also attending the meeting were Creston Minter of H2O Innovation Operation and Maintenance, LLC ("H2O"); Jorge Diaz of McLennan & Associates, LP ("McLennan"); Barbara Nussa of Republic Services, Inc. ("Republic"); Monica Garcia of Assessments of the Southwest, Inc. ("ASW"); Erik Scott of Storm Water Solutions L.P. ("SWS"); Danae Dehoyos of Touchstone District Services, LLC ("Touchstone"); Jeffrey Bishop of Quiddity Engineering, LLC ("Quiddity"); and Spencer Creed and Kris Eddlemon of Schwartz, Page & Harding, L.L.P. ("SPH").

The President called the meeting to order and declared it open for such business as might regularly come before the Board.

**PUBLIC COMMENTS; RESOLUTION ADOPTING PUBLIC COMMENT POLICIES AND PROCEDURES**

The Board considered comments from the public. There were no comments from the public at this time.

The Board next considered adoption of a Resolution Adopting Public Comment Policies and Procedures. Mr. Creed reviewed and discussed the Resolution Adopting Public Comment Policies and Procedures with the Board, attached hereto at **Exhibit A**. The Board then provided comments to same. Following discussion, Director Rueschhoff moved that the Board (i) adopt the Resolution Adopting Public Comment Policies and Procedures, subject to the incorporation of comments provided by the Board at today's meeting, and (ii) authorize the President to execute same on behalf of the Board and the District. Director Dibble seconded the motion, which unanimously carried. The Board requested that the final version of the Resolution be attached to the minutes and posted on the District's website.

## **MINUTES OF MEETING(S)**

The Board next considered approval of the minutes of the Board meeting held February 3, 2026. After discussion, it was moved by Director Rueschhoff that the minutes of the Board meeting held February 3, 2026, be approved, as written. Director Dibble seconded the motion, which unanimously carried.

## **REPORT FROM THE MONTGOMERY COUNTY CONSTABLE'S OFFICE REGARDING SECURITY**

Mr. Creed presented and reviewed a security report provided by the Montgomery County Constable's Office for the month of February 2026, a copy of which report is attached hereto as **Exhibit B**. No action was taken by the Board at this time.

## **BOOKKEEPER'S REPORT**

Mr. Diaz next presented and reviewed a written Bookkeeper's Report dated March 3, 2026, including the District's Investment Report for the month of January 2026, copies of which are attached hereto as **Exhibit C**. Following discussion, it was moved by Director Pachuilto that the Board (i) approve the Bookkeeper's Report and Investment Report, and (ii) authorize the District's Investment Officer to execute the Investment Report on behalf of the Board and the District. Director Rueschhoff seconded the motion, which carried unanimously.

## **OPERATIONS REPORT**

The Board next considered the Operations Report. Mr. Minter presented a written report prepared by H2O, a copy of which is attached hereto as **Exhibit D**, and reviewed same with the Board.

Mr. Minter advised that Harris County Water Control and Improvement District No. 92 ("No. 92") is no longer on interconnect with the District, and that H2O is coordinating with No. 92 to generate an invoice for water usage during the temporary period.

The Board next considered approval of the District's 2025 water loss audit, and the filing of same with the Texas Water Development Board ("TWBD") on or before May 1, 2026, as well as the filing of a water conservation plan annual implementation report with the TWBD. Following discussion, Director Rueschhoff moved that the Board approve filings of the 2025 water loss audit and water conservation plan annual implementation report upon completion of same by H2O. Director Dibble seconded the motion, which unanimously carried.

The Board next discussed amending the District's Emergency Response Plan ("ERP") to include Touchstone's contact information for communication purposes. Following discussion, Director Rueschhoff moved that H2O be authorized to amend the District's ERP, as discussed. Director Dibble seconded the motion, which unanimously carried.

Mr. Minter next addressed the Board regarding the recent failure of power transfer station located at Water Well No. 1. In that regard, he advised that an insurance claim has been filed for the repair and that he will provide an update at the next meeting.

### **UNCLAIMED PROPERTY REPORT(S)**

The Board considered authorizing the District's consultants to research unclaimed property and to authorize McLennan and/or ASW to prepare an Unclaimed Property Report(s) as of March 1, 2026. After discussion, Director Rueschhoff moved that the District's Operator, Tax Assessor-Collector and Bookkeeper be authorized to research their records to determine whether or not there is any unclaimed property for the applicable period and that the District's bookkeeper and tax assessor-collector be authorized to prepare unclaimed property report(s), if necessary, for the Board's consideration, approval and filing with the State Comptroller prior to July 1, 2026. Director Waymel seconded said motion, which unanimously carried.

Mr. Minter exited the meeting at this time.

### **REPUBLIC SERVICES, INC.**

Ms. Nussa addressed the Board on behalf of Republic and presented a verbal report and general update regarding the District's garbage and recycling collections. She reminded the Board that the document shred event is scheduled to take place in the District on Saturday, March 21, 2026. No action was taken by the Board at this time.

### **STORMWATER MANAGEMENT PROGRAM AND DRAINAGE FACILITIES REPORT**

Mr. Scott presented and reviewed a Drainage Facilities Report provided by SWS, a copy of which is attached hereto as **Exhibit E**. He addressed the Board regarding a request for maintenance of trees in the greenspace behind the residence located at 2114 Tessie Cove Lane. Following review of the request, and pictures of the area in question, Director Rueschhoff moved that the Board decline the request upon noting that the trees are down and do not pose a significant and clear risk of causing physical injury to persons or real property in accordance with the District's policy. Director Olsen seconded the motion, which unanimously carried. The Board requested that Touchstone respond to the resident advising of the Board's decision.

### **TAX ASSESSOR/COLLECTOR'S REPORT**

Ms. Garcia then presented and reviewed the Tax Assessor/Collector's Report for the month of February 2026, including a delinquent account listing as of February 26, 2026, copies of which are attached hereto as **Exhibit F**. After discussion, it was moved by Director Rueschhoff that the Tax Assessor/Collector's Report be approved and the disbursements identified therein be approved for payment. Director Pachulo seconded the motion, which carried unanimously.

## **DELINQUENT TAX REPORT**

In connection with the District's delinquent tax collections, Mr. Creed presented to and reviewed with the Board a Delinquent Tax Report provided by Perdue, Brandon, Fielder, Collins & Mott, L.L.P. dated March 3, 2026, a copy of which is attached hereto as **Exhibit G**. No action was taken by the Board at this time.

## **CRITICAL LOAD STATUS**

Mr. Creed next reported that Section 13.1396 of the Water Code requires that public water suppliers, such as the District, annually submit to each electric distribution utility and each retail electric utility provider, on forms reasonably required by each entity, a list of its facilities which qualify for critical load status and various emergency contact information. After discussion on the matter, Director Rueschhoff moved that H2O and/or Quiddity be authorized to make such annual filing on behalf of the District. Director Dibble seconded the motion, which carried unanimously.

## **RATE ORDER**

Mr. Creed reminded the Board that the District is in receipt of correspondence from the San Jacinto River Authority ("SJRA") regarding a reduction in its groundwater pumpage fees effective as of February 1, 2026. The Board next considered amendment of the District's Rate Order, including but not limited to an adjustment based on the reduction in groundwater pumpage fee charged by the SJRA. Following discussion, Director Rueschhoff moved that Quiddity be authorized to prepare a water and sewer rate analysis for review by the Board at the next meeting. Director Pachulo seconded the motion, which unanimously carried. The Board concurred to defer amendment of the Rate Order pending review of the analysis.

Ms. Nussa and Ms. Garcia exited the meeting at this time.

## **ENGINEER'S REPORT**

Mr. Bishop next presented to the Board a written Engineer's Report, dated February 26, 2026, a copy of which report is attached hereto as **Exhibit H**, relative to the status of various projects within the District. He addressed the Board with regard to rehabilitation of Lift Station No. 2 (the "Project"). He advised that four (4) bids were received for the Project, and that the lowest bid was submitted by CROM CFG Industries, LLC ("CROM") in the amount of \$636,700. Following discussion, Director Rueschhoff moved that the Board award the contract for the Project to CROM, as discussed and recommended by Quiddity. Director Waymel seconded the motion, which unanimously carried.

Mr. Bishop provided the Board with an update concerning the feasibility and route alignment study in connection with the request for surface water from the San Jacinto River Authority ("SJRA"). He then discussed his recent attendance at the SJRA's meeting regarding the water model and viable routing options. No action was taken by the Board at this time.

Mr. Bishop next addressed the Board regarding options for securing long-term wastewater treatment capacity to serve the District, and the status of the District's formal request to Montgomery County Municipal Utility District No. 119 ("No. 119") to expand the Wastewater Treatment Plant ("WWTP") for purposes same. Mr. Bishop advised that No. 119 has authorized preparation of an amendment to the Waste Disposal Agreement between the District and No. 119, subject to certain conditions, to address the expansion. It was noted that Spring Independent School District ("Spring ISD") has also approached the District about potentially purchasing a portion of the District's capacity in the Harris County Water Control and Improvement District No. 92 ("No. 92") Plant. The Board determined this matter would be further discussed in Executive Session.

**STATUS OF CONSTRUCTION OF NEW CONCRETE WASTEWATER TREATMENT PLANT**

The Board noted that the status of construction of the new concrete WWTP by No. 119, on behalf of itself and the District, was covered under the Engineer's Report.

**RESOLUTION ADOPTING PREVAILING WAGE RATE SCALE FOR CONSTRUCTION PROJECTS**

Mr. Creed next presented to the Board for review and approval a Resolution Adopting Prevailing Wage Rate Scale for Construction Projects (the "Wage Rate Resolution"), attached hereto as **Exhibit I**. He informed the Board that the District previously adopted the Department of Labor's applicable wage rates for the Montgomery County area, which have recently been updated. After discussion, Director Olsen moved that the Board adopt the Wage Rate Resolution with Exhibit "A" to same reflecting the updated wage rates published by the Department of Labor for the Montgomery County area and that the President and Secretary be authorized to execute same on behalf of the Board and the District. Director Rueschhoff seconded said motion, which unanimously carried.

**SPRING TRAILS COMMUNITY ASSOCIATION, INC. ("ASSOCIATION") CONSTRUCTION PROJECTS WITHIN DISTRICT PROPERTY; ASSOCIATION AND/OR RESIDENT COMMUNICATIONS**

The Board next considered the approval and/or status of any Association related construction or maintenance projects within District property and resident communications concerning maintenance. In that regard, the Board considered amendment of the District's tree trimming policy, and the adoption of a Resolution in connection therewith. Mr. Creed then presented and reviewed a Resolution Adopting Amended Policy Concerning Requests for Maintenance of Trees and/or Vegetation Located on District Property (the "Resolution"), attached hereto as **Exhibit J**. Following discussion, Director Olsen moved that the Board adopt the Resolution and authorize the President to execute same on behalf of the Board and the District. Director Rueschhoff seconded the motion, which unanimously carried.

A discussion ensued regarding the status of maintenance of certain trees within the District by ArborTech Tree Care ("ArborTech"). Mr. Creed advised that ArborTech provided Work Order

No. 2, a copy of which has been provided to the Board, related to maintenance of trees located near 27407 Kent Hollow Court.

A discussion ensued regarding the status of installation of a street light at Sweet Bay Crossing. It was noted installation of the street light is scheduled to occur mid-June 2026.

### **TOUCHSTONE DISTRICT SERVICES**

The Board next discussed the status of the District's website. In connection therewith, Ms. Dehoyos presented and reviewed a Communications Meeting Report prepared by Touchstone, a copy of which is attached hereto as **Exhibit K**. No action was taken by the Board at this time.

### **WORKSHOPS AND/OR PROFESSIONAL DEVELOPMENT PROGRAM**

The Board noted that the District's Professional Development Program workshop related to the District's ERP is tentatively scheduled to be held in July 2026.

### **OPERATION AND MAINTENANCE RESPONSIBILITIES FOR STORMWATER DRAINAGE FACILITIES**

Director Dibble addressed the Board regarding his attendance at the Association of Water Board Directors Conference and material related to maintenance of drainage facilities. No action was taken by the Board at this time.

### **SUPPLEMENTAL AGENDA**

The Board considered cancellation of the Directors Election called for May 2, 2026. Mr. Creed advised that, in accordance with Subchapter C, Chapter 2 of the Texas Election Code, the District may cancel the Directors Election if each candidate whose name is to appear on the ballot and/or has registered as a write-in candidate is unopposed as of 5:00 p.m. on February 20, 2026. In such case, the Board may declare the unopposed candidates to be elected. In that regard, there was presented to the Board a certificate of the Secretary declaring all candidates unopposed. Mr. Creed then presented and reviewed the Order Declaring Candidates Elected, attached hereto as **Exhibit L**. After discussion, Director Rueschhoff moved that the Order be adopted by the Board declaring Jerry Rueschhoff, Roger Olsen, and Ray Waymel, elected Directors of the District, each to serve a term of four years or until a successor is duly elected or appointed, that the President or Vice President be authorized to execute and the Secretary or Assistant Secretary to attest same on behalf of the Board and the District, and that the Directors Election called for May 2, 2026, be cancelled. Director Pachuillo seconded said motion, which unanimously carried.

### **ATTORNEY'S REPORT**

The Board next considered the Attorney's Report. Mr. Creed discussed the upcoming Spring Trails fun run event scheduled to be held within the District on Saturday, March 7, 2026, and a proposed Access and Indemnification Agreement related thereto, a copy of which is attached hereto as **Exhibit M**. Following discussion, Director Rueschhoff moved that the Board approve

the Access and Indemnification Agreement, and authorize the President to execute same on behalf of the Board and the District. Director Olsen seconded the motion, which unanimously carried.

Ms. Dehoyos exited the meeting at this time.

**FUTURE AGENDA ITEMS**

The Board next considered additional items for placement on future agendas. No specific agenda items, other than routine and ongoing matters, were requested.

**EXECUTIVE SESSION**

The President announced that the Board was entering into executive session pursuant to Texas Government Code Section 551.071 at 2:30 p.m., for purposes of attorney-client communications concerning items 14 and 20b on the agenda. At this time all those present, with the exception of the Board, Mr. Creed, Mr. Bishop, and Kris Eddlemon exited the meeting.

At 3:18 p.m. the President announced that the Board would reconvene in Open Session. The Board requested that SPH convey to Spring ISD the tentative terms for the District's sale of 30,000 gallons per day, average daily flow, of capacity in the No. 92 Plant as discussed in executive session. Mr. Bishop and Kris Eddlemon exited the meeting.

The President announced that the Board was entering into executive session pursuant to Texas Government Code Section 551.071 at 3:18 p.m., for purposes of attorney-client communications concerning item 20a on the agenda.

At 3:50 p.m., the President announced that the Board would reconvene in Open Session. Following discussion, Director Waymel moved that litigation counsel be authorized to send correspondence to the Association requesting payment of District's attorney fees as provided in the Court's judgement, following the deadline for appeal. Director Rueschhoff seconded the motion, which unanimously carried.

**ADJOURN**

There being no further business to come before the Board, Director Waymel moved that the meeting be adjourned. Director Rueschhoff seconded said motion, which unanimously carried.



*Roy Waymel*  
Secretary  
Board of Directors

**LIST OF NON-RECURRING ACTION ITEMS FOR NEXT MEETING**

<b>TASK</b>	<b>RESPONSIBLE PARTY</b>	<b>DUE DATE</b>
Send website link to Board regarding operation of motorized bikes and recreational vehicles in the District	MCCO	April 7, 2026
Discussion with NRG regarding maintenance of leased generator at District facilities	Quiddity and SPH	April 7, 2026
Provide information related to operation of golf carts	MCCO	April 7, 2026
Prepare 2025 Water Loss Audit; Water Conservation Plan Annual Implementation Report	H2O	May 1, 2026
Amend Emergency Response Plan	H2O	April 7, 2026
Prepare Water Rate Analysis	Quiddity	April 7, 2026

## LIST OF EXHIBITS

EXHIBIT A	Resolution Adopting Public Comment Policies and Procedures
EXHIBIT B	Security Report
EXHIBIT C	Bookkeeper's Report
EXHIBIT D	Operations Report
EXHIBIT E	Drainage Facilities Report
EXHIBIT F	Tax Assessor/Collector's Report
EXHIBIT G	Delinquent Tax Report
EXHIBIT H	Engineer's Report
EXHIBIT I	Resolution Adopting Prevailing Wage Rate Scale for Construction Projects
EXHIBIT J	Resolution Adopting Amended Policy Concerning Requests for Maintenance of Trees and/or Vegetation Located on District Property
EXHIBIT K	Communications Meeting Report
EXHIBIT L	Order Declaring Candidates Elected
EXHIBIT M	Access and Indemnification Agreement