

MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 94
Minutes of Meeting of Board of Directors
March 4, 2025

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 4, 2025, 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 Pachulio, Assistant Secretary
JT Dibble, Assistant Secretary

all of whom were present at the meeting, 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 Saucedo of Assessments of the Southwest, Inc. ("ASW"); Marie Newsom of Storm Water Solutions LP ("SWS"); Danae Dehoyos of Touchstone District Services, LLC ("Touchstone"); Sergeant Joshua Orr of the Montgomery County Constable's Office ("MCCO"); Jeffrey Bishop and Grady Turner 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

There were no comments from the public at this time.

MINUTES OF MEETING(S)

The Board next considered approval of the minutes of the Board meetings held February 4, 2025, and February 27, 2025. After discussion, it was moved by Director Olsen that the minutes of the Board meetings held on February 4, 2025, and February 27, 2025, be approved, as written. Director Pachulio seconded the motion, which unanimously carried.

A discussion ensued regarding the task list included at the end of the minutes. Following discussion, the Board requested that a target deadline date for each task be included going forward.

REPORT FROM THE MONTGOMERY COUNTY CONSTABLE'S OFFICE REGARDING SECURITY

Sergeant Orr next presented and reviewed a security report provided by the MCCO's office for the month of February 2025, a copy of which report is attached hereto as **Exhibit A**. With regard to the status of credits to the District for the two (2) prior patrol vehicles, he stated that he was advised by the Montgomery County auditor's office that a check for the first auctioned vehicle was sent to the District in 2024 but that no payment had been sent for the second auctioned vehicle. Following discussion on the matter, the Board directed SPH to prepare and send correspondence to Montgomery County requesting payment by check for the second auctioned vehicle.

Sergeant Orr next advised that once the old video equipment for deputies has been auctioned, a payment will be issued to the District and the new equipment will be installed. He further advised that the same process will be followed with regard to the replacement of laptop computers used by the officers in their vehicles.

Sergeant Orr exited the meeting at this time.

BOOKKEEPER'S REPORT

Mr. Diaz next presented and reviewed a written Bookkeeper's Report dated March 4, 2025, including the District's Investment Report for the month of January 2025, copies of which are attached hereto as **Exhibit B**. Following discussion, it was moved by Director Olsen 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.

Mr. Diaz next presented for the Board's review a draft Operating Budget for the District's fiscal year ending March 31, 2026, a copy of which is attached to the Bookkeeper's Report. Following discussion, Director Olsen moved that the Operating Budget for the District's fiscal year ending March 31, 2026 be adopted, as discussed. The motion was seconded by Director Rueschhoff and passed unanimously.

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, 2025. After discussion, Director Waymel 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, 2025. Director Olsen seconded said motion, which unanimously carried.

REPUBLIC SERVICES, INC.

Ms. Nussa addressed the Board on behalf of Republic and presented a verbal report. She reminded the Board that the District's contract with Republic expires at the end of May. She then presented and reviewed a proposal for the Board to consider a five-year extension of the contract, a copy of which proposal is attached hereto as **Exhibit C**. Following discussion, Director Olsen moved that the Board approve "Option 1" of the proposal. Director Waymel seconded the motion, which unanimously carried. Ms. Nussa advised that Republic will prepare an amendment to the District's contract for review by SPH and the Board. The Board requested that information related to the option for District customers to obtain an additional cart from Republic (at their own cost) be included on the District's website. Ms. Nussa advised that she would send the relevant information to Director Waymel and Touchstone for posting.

Ms. Nussa advised that seventy-two percent (72%) of the residential customers are participating in the District's recycling program.

STORMWATER MANAGEMENT PROGRAM AND DRAINAGE FACILITIES REPORT

Ms. Newsom then presented and reviewed a Drainage Facilities Report provided by SWS, a copy of which is attached hereto as **Exhibit D**. She advised that the void that was forming around the drainage inlet has been repaired, as previously authorized by the Board.

Ms. Newsom advised that the drainage channel will need to be de-silted soon, and that SWS is monitoring it at this time.

A discussion ensued regarding the fallen trees depicted on page six (6) of the report. It was noted that this property belongs to Montgomery County. Following discussion, Mr. Minter advised that he will look into contacting the County about their removal of the trees and will report back to the Board.

A discussion ensued regarding the unauthorized connection at 23826 Madeline Manor Lane depicted on pages 9 and 10 of the report. In that regard, Mr. Minter advised that the resident has indicated they will move the drain back inside of their fence.

A discussion ensued regarding the unauthorized connection at 23822 Madeline Manor Lane depicted on pages 9 and 10 of the report. In that regard, Mr. Minter advised that H2O will instruct the resident to make any necessary repairs and to move the drain back inside of their fence.

Ms. Newsom then presented and reviewed a Maintenance Budget prepared by SWS related to an increase in fees and costs for maintenance work, as outlined on **Exhibit E**. Ms. Newsom advised that the increased cost has been factored into the budget adopted by the Board. Following discussion, Director Rueschhoff moved that the Board (i) approve the new Maintenance Budget, (ii) authorize the President to execute same on behalf of the Board and the District, and (iii) authorize SPH to accept and acknowledge the associated Texas Ethics Commission ("TEC") 1295 Form. Director Olsen seconded the motion, which unanimously carried.

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Saucedo then presented and reviewed the Tax Assessor/Collector's Report for the month of February 2025, including a delinquent account listing as of February 27, 2025, copies of which are attached hereto as **Exhibit F**. After discussion, it was moved by Director Olsen that the Tax Assessor/Collector's Report be approved and the disbursements identified therein be approved for payment. Director Rueschhoff 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 4, 2025, a copy of which is attached hereto as **Exhibit G**. No action was taken by the Board at this time.

Ms. Nussa exited the meeting at this time.

RESOLUTION CONCERNING DEVELOPED DISTRICT STATUS FOR 2025 TAX YEAR

Mr. Creed reminded the Board that the taxing procedures applicable to a particular district will depend, in part, upon whether it is determined to be a "Developed District" pursuant to Texas Water Code Section 49.23602. He then reviewed with the Board a Resolution Concerning Developed District Status for the 2025 Tax Year, attached hereto as **Exhibit H**. Following discussion, upon motion made by Director Olsen, seconded by Director Rueschhoff, and unanimously carried, the attached Resolution was adopted by the Board.

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 I**, and reviewed same with the Board. He advised that the roof of the control building and booster pump room has been replaced, as previously authorized by the Board. The Board deferred taking action with regard to filing of a water conservation plan annual implementation report with the Texas Water Development Board.

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 Olsen seconded the motion, which carried unanimously.

In connection with the pending repairs to pumping equipment at water well no. 1, Mr. Minter advised that well production is expected to be back online by the end of March.

RESOLUTION REQUESTING CONSIDERATION OF MEASURES TO EFFECTUATE A REQUIREMENT FOR THE QUARTERLY REPORTING OF WATER WELL DATA TO THE LONE STAR GROUNDWATER CONSERVATION DISTRICT

The Board next considered the adoption of a Resolution Requesting Consideration of Measures to Effectuate a Requirement for the Quarterly Reporting of Water Well Data to the Lone Star Groundwater Conservation District (the "Resolution"), attached hereto as **Exhibit J**. Following discussion, Director Olsen moved that the Board adopt the Resolution and authorize the President and Secretary to execute same on behalf of the Board and the District. Director Rueschhoff seconded the motion, which unanimously carried.

ENGINEER'S REPORT

Mr. Bishop next presented to the Board a written Engineer's Report, dated February 28, 2025, a copy of which report is attached hereto as **Exhibit K**, relative to the status of various projects within the District. No action was taken by the Board at this time.

STATUS OF CONSTRUCTION OF NEW CONCRETE WASTEWATER TREATMENT PLANT

Mr. Bishop next addressed the Board and provided an update concerning the status of construction of the new concrete wastewater treatment plant by Montgomery County Municipal Utility District No. 119 ("No. 119") on behalf of itself and the District. No action was taken by the Board at this time.

EMERGENCY WATER SUPPLY CONTRACT WITH NO. 119

The Board next considered the status of billing and No. 119's payment for recent water usage pursuant to the Emergency Water Supply Contract between the District and No. 119. In that regard, Mr. Minter advised that H2O has prepared an invoice to No. 119 in the amount of \$44,356.38 for water supplied to No. 119 by the District between August 12, 2024 and August 28, 2024. Mr. Minter reviewed with the Board how the amount of the invoice was arrived at. Following discussion, Director Rueschhoff moved that the District approve the invoice and authorize same to be delivered to No. 119. Director Waymel seconded the motion, which unanimously carried.

SPRING TRAILS COMMUNITY ASSOCIATION (THE "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. It was noted that the District is in receipt of a request to remove three (3) trees located on District property behind the home located at 27907 Geneve Hills Lane. Director Olsen advised that he visited the site with Trees By Frank, LLC ("TBF"), and that TBF has provided a proposal to remove the trees at cost of \$680. Following discussion, Director Olsen

moved that the Board approve the proposal provided by TBF, as discussed. Director Dibble seconded the motion, which unanimously carried.

Mr. Creed next presented and reviewed a Master Stand-By Services Agreement (Tree Maintenance) (the "Agreement") between the District and TBF, a copy of which is attached hereto as **Exhibit L**. He discussed the terms of the proposed Agreement with the Board. It was noted that TBF has approved and executed the Agreement. Following discussion, Director Olsen moved that the Board (i) approve the Agreement, (ii) authorize the President to execute same on behalf of the Board and the District, and (iii) authorize SPH to accept and acknowledge the associated TEC 1295 Form. Director Dibble seconded the motion, which unanimously carried.

The Board next discussed the current condition of the bird watching sanctuary project within the District that has not been properly maintained. Following discussion, Director Rueschhoff advised he will discuss removal of same with the Association.

Mr. Creed next discussed the upcoming Spring Trails fun run event scheduled to be held within the District on Saturday, March 8, 2025, 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.

TOUCHSTONE DISTRICT SERVICES

The Board next discussed the status of the District's website. In that regard, Ms. Dehoyos presented and reviewed a Communications Meeting Report prepared by Touchstone, a copy of which is attached hereto as **Exhibit N**. A discussion ensued regarding notifying District residents about information and communications available on the District's website. Following discussion, the Board concurred that Touchstone be authorized to prepare information about the website that can be distributed to residents via the Association and H2O, subject to review by Director Waymel

Ms. Newsom and Ms. Saucedo exited the meeting at this time.

WORKSHOPS AND/OR PROFESSIONAL DEVELOPMENT PROGRAM

A discussion ensued regarding the District's Professional Development Program workshops. It was noted that the budget and bookkeeping workshop was held on February 27, 2025. The Board concurred that the workshop related to the Open Meetings Act be held within the District on March 26, 2025, at 8:00 a.m. No action was taken by the Board at this time.

Ms. Dehoyos exited the meeting at this time.

RENEWAL OF DISTRICT INSURANCE POLICIES

The Board next considered renewal of the District's insurance coverages. Mr. Creed advised the Board that, as requested at the previous meeting, SPH requested an updated renewal proposal from McDonald & Wessendorff ("McDonald"), a copy of which is attached hereto as **Exhibit O**, to include an option to add the Wedlake trailer under the District's automobile liability coverage. He advised the Board that the District's current insurance policies are due to expire on March 31, 2025. Following discussion, Director Waymel moved that the Board (i) approve the proposal provided by McDonald, including the addition of the Wedlake trailer under the District's automobile liability coverage, (ii) authorize the President to execute the proposal on behalf of the Board and the District, and (iii) authorize SPH to accept and acknowledge the associated TEC 1295 Form. Director Dibble seconded the motion, which unanimously carried.

ATTORNEY'S REPORT

The Board next considered the attorney's report. In that regard, Mr. Creed advised that the dial-in number for observation of future Board meetings has changed as of today's meeting and the new number has been posted on the agenda. No action was taken by the Board at this time.

EXECUTIVE SESSION

The President announced that the Board was entering into executive session pursuant to Texas Government Code Section 551.171 at 2:12 p.m., concerning item 20(b) on the agenda. At this time all those present, with the exception of the Board, Mr. Creed, and Kris Eddlemon exited the meeting.

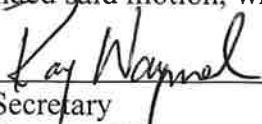
At 3:11 p.m., the President announced that the Board would reconvene in Open Session. Director Olsen moved that Director Waymel be authorized to advise the Association of a deadline of March 21, 2025, to provide the District with two (2) alternate locations to place the maintenance building. Director Rueschhoff seconded the motion, which unanimously carried.

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.

ADJOURN

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



Secretary
Board of Directors

LIST OF NON-RECURRING ACTION ITEMS FOR NEXT MEETING

TASK	RESPONSIBLE PARTY	DUE DATE
Send email correspondence to Montgomery County requesting check for auctioned vehicles and for replaced security video equipment	SPH/MCCO	SPH to communicate by April 1, 2025; MCCO to provide credit by approximately June 2025
Provide amendment to contract with Republic and information for website about optional additional carts for residents	Barbara Nussa	April 1, 2025
Resolution of unauthorized connections/damage to drainage facilities at 23822 and 23826 Madelin Manor Lane	H2O	April 1, 2025
Removal of downed trees on property owned by Montgomery County near drainage channel	Creston Minter	Communicate to Montgomery County by April 1, 2025
Discuss removal of bird watching sanctuary with the Association	Director Rueschhoff	April 1, 2025
Notify District residents about the website	Director Waymel to coordinate with Touchstone, the Association and H2O	April 1, 2025
Schedule special meeting (workshop) for March 26, 2025	SPH	Following today's meeting
Communicate deadline to the Association regarding alternate locations for maintenance building	Director Waymel	Following today's meeting

LIST OF EXHIBITS

EXHIBIT A	Security Report
EXHIBIT B	Bookkeeper's Report
EXHIBIT C	Proposal provided by Republic Services, Inc.
EXHIBIT D	Drainage Facilities Report
EXHIBIT E	Maintenance Budget – Storm Water Solutions
EXHIBIT F	Tax Assessor/Collector's Report
EXHIBIT G	Delinquent Tax Report
EXHIBIT H	Resolution Concerning Developed District Status for the 2025 Tax Year
EXHIBIT I	Operations Report
EXHIBIT J	Resolution Requesting Consideration of Measures to Effectuate a Requirement for the Quarterly Reporting of Water Well Data to the Lone Start Groundwater Conservation District
EXHIBIT K	Engineer's Report
EXHIBIT L	Master Stand-By Services Agreement (Tree Maintenance) between the District and Trees by Frank, LLC
EXHIBIT M	Access and Indemnification Agreement between the District and the Association
EXHIBIT N	Communications Meeting Report
EXHIBIT O	Proposal from McDonald & Wessendorff