

**MINUTES OF REGULAR MEETING
FOUNTAINHEAD MUNICIPAL UTILITY DISTRICT
OCTOBER 5, 2022**

The Board of Directors of Fountainhead Municipal Utility District of Harris County, Texas, met in regular session, open to the public on October 5, 2022, and the roll was called of the duly constituted officers of the Board, to-wit:

Sidney A. Hubbard	President
Paul Cemer	Vice President
Bob Grace	Secretary
Norm Warwick	Treasurer
Lee Joseph Saunders	Assistant Secretary/Treasurer

and all of said Directors were present, thus constituting a quorum.

Persons also present included Christine and DeWayne High of WET Services, Inc.; Michael Cole of Michael A. Cole, P.C.; Rene Anadel of Wheeler & Associates; and Craig East with Perdue Brandon.

CUSTOMER COMMENTS

There were none.

MINUTES

Director Cemer moved the approval of the late September minutes with the addition of a period, which was seconded by Director Grace and carried unanimously.

TAX ASSESSOR-COLLECTOR REPORT AND TAX LEVY

The report of Rene reflected 98.9% collections. Mr. East updated the Directors on terminations authorization of which was given by the Board. He noted that the State had a program for actually paying some delinquent taxes of taxpayers. At the conclusion of the report **both reports were approved on the motion of Director Cemer and the second of Director Warwick and the unanimous vote of the Board.**

TAX LEVY

It was noted that there had been a publication of proposed tax rates totaling 46 cents. Director Cemer suggested a **levy of 26.5 cents for M& O and 18.5 cents for Debt Service which effected a reduction from what was published but above any roll back rate. A motion to this effect was made by Director Cemer and seconded by Director Warwick and carried unanimously.**

SECURITY REPORT

The report was delivered by the officer which among other matters reflected that there had been a burglary of a habitation. The Board thanked the officer for the presentation.

UTILITY OPERATOR'S REPORT

Mr. High submitted his report. A discussion was had as to whether the motor for Water Well #2 should be replaced for \$41,085 or repaired for \$19,880. After brief discussion **Director Saunders moved it be repaired, which motion was seconded by Director Cemer and the unanimous vote of the Board.** It was noted that the repairs should take approximately 2 weeks. On another matter the District some time ago replaced a back flow prevention device at the elevated storage tank where there was a reticulation pump. Unbelievably the TCEQ had required the District to have an approval of the device even though it had been installed decades earlier as a part of its original construction. As imbecilic a requirement as it was the District complied with what the TCEQ was requiring only to be told that it needed to submit a form for its approval and that it could not use the form required by the City of Houston but instead must use the form of the TCEQ which was identical. "Stupid" is an apt description of the idiocy of the TCEQ that is sometimes on display. The District has or is using this TCEQ form as required by the TCEQ. On other matter the lead/copper sampling has been completed. On other matters the Operator had met with the contractor for the Generator for Water Treatment Plant no. 2 and the notice to proceed had been issued for construction and delivery of the back-up generator in 345 days. With regard to Lift Station number 4 it was reported that signs for the lift station had been removed by unauthorized individuals for which the police were called and new signs ordered.

ATTORNEY REPORT

The Attorney presented his report most of which had been covered in the course of the meeting. As to authorizing engagement of a condemnation attorney which Director Cemer had suggested at the last meeting, Director Grace said he wanted to defer to the District's Engineer to see if the land owner may have given a different response since the last meeting so that eminent domain could be avoided. The Attorney said he would defer to the District's Engineer.

REGIONAL WATER AUTHORITY

Director Warwick reported that there was nothing to report on the Authority.

There being no other business to come before the Board the meeting was adjourned.

Secretary, Board of Directors

CUMULATIVE COMMITMENTS FOR ACTION
FOUNTAINHEAD MUNICIPAL UTILITY DISTRICT
MEETING OF OCTOBER 5, 2022

1. **ATTORNEY** *to review the wastewater plant agreement with District 109 regarding changes in capacity occasioned by plant design changes which have the effect of downsizing the plant; and place item on the APRIL 2023 agenda to consider a Depository Pledge Agreement with Frost Bank for moving the tax account from Allegiance Bank to Frost Bank (next April); forward agreements to appropriate parties; and to defer any action on eminent domain to the District's Engineer.*

2. **ENGINEER** *to do nothing in response to request of landowner for more money (\$200,000); and prepare schedule for emergency generator replacement; based upon award of contract for same.* Though the Engineer was to do nothing with regard to the landowner, apparently he needs to inform the Board as to whether he continues to insist of a higher price than the District has offered based upon its appraisers valuation.

3. **TAX ASSESSOR** to levy taxes as authorized.

[commitments that are unchanged are shown in italics.]