

**MINUTES OF MEETING  
OF THE  
BOARD OF DIRECTORS**

THE STATE OF TEXAS §  
COUNTY OF HARRIS §  
HARRIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 89 §

The Board of Directors of Harris County Water Control & Improvement District No. 89 met in regular session, open to the public, at its meeting place outside the boundaries of the District on September 17, 2019, whereupon, the roll of the members of the Board of Directors was called, to-wit:

Sharyn Smalls	President
Michael Smith	Vice President
Annie Jenkins	Secretary
Arthur Washington	Assistant Secretary
Byron K. Watson, Sr.	Investment Officer

All members of the Board were present.

Also present were Chris Richardson of Strawn & Richardson, P.C.; Laney Brown and Carlos Smith of SiEnviro; Ed Shackelford of AEI; Matthew Kelley of MK Engineering & Consulting; Byron Thurmond of BGT; Bryan Walla and Charlie Liesburger of Alsay.

WHEREUPON, the meeting was called to order by the President, and evidence was presented that public notice of the meeting had been given in compliance with the law.

- 1. OPENING PRAYER.** Director Jenkins led those assembled in prayer.
- 2. CONDUCT 2019 TAX RATE PUBLIC HEARING.** The Board President called to order the Public Hearing on the 2019 Tax Rate. The Board noted that no taxpayer appeared to take part in the Public Hearing, as published by law. The Board President then closed the Public Hearing.

**3. APPROVE 2019 DEBT AND MAINTENANCE TAX RATES.** The Board considered setting the 2019 Debt Service and Maintenance Tax Rates, and reviewed the recommendation from financial advisor John Howell.

Following the discussion it was moved by Director Smith and seconded by Director Jenkins to set the 2019 Debt Service Tax Rate at \$0.50, to set the 2019 Maintenance Tax Rate at \$0.49, and to approve Orders reflecting same, which motion carried unanimously, 5-0. Copies of the Order Setting 2019 Debt Service Tax Rate and Order Setting 2019 Maintenance Tax Rate are attached as Exhibits "A" and "B", respectively.

**4. AMENDMENT TO NOTICE TO SELLERS AND PURCHASERS.** Chris Richardson presented the Amendment to Notice to Sellers and Purchasers of Real Estate Within the District, a copy of which is attached as Exhibit "C". Mr. Richardson explained the Amendment reflects the new 2019 tax rate and will be filed in the Real Property Records of Harris County, Texas. It was moved by Director Smith and seconded by Director Washington that the Amendment to Notice to Sellers and Purchasers of Real Estate Within the District be approved, which motion carried unanimously, 5-0.

**5. PUBLIC COMMENTS.** Charlie Liesburger and Bryan Walla of Alsay addressed the Board to discuss Water Well No. 1 and the recent work done. Mr. Liesburger stated they had pulled the well pump, and mechanically cleaned with a wire brush. He suggested chemically cleaning the well with hydrochloric acid and chlorine. He stated there is a lower moderate level iron related bacteria issue, and they used hydroxyl-acidic acid. He stated the iron-eating bacteria is present in the well, which was re-televised and looked much better. He stated bacteriological samples were taken and a performance test was done, and the well was back on line in July. President Smalls asked when the performance test and the bacteriological tests were

done, and Mr. Liesburger stated they were done in late July. He stated there is a lower moderate level of sulfur reducing bacteria as well, and he suggested super-chlorinating the well. He stated it is an issue of volume and he is looking at 13,500 gallons to 15,000 gallons, to be treated with sodium hypochlorite. President Smalls asked if the suggestion was based upon a sample; Mr. Liesburger stated the operator did the sample. He stated the well will need periodic chlorination.

Director Smith asked if there is a brochure to give to the residents when something like this happens; Mr. Liesburger stated this is very rare. Mr. Walla added the well had run clear yesterday, after one hour. Mr. Liesburger stated the iron and sulfur bacteria grow more rapidly when the well is not running. President Smalls stated the Board had gone through the maintenance process, and did not have this problem; now the problem has occurred after cleaning. She asked why the issue is on and off, if it is in the aquifer. Mr. Liesburger stated there have been treatments with chlorine. He stated the 100 lbs. of chlorine added to the well helped, but did not completely eliminate the bacteria contaminated water, and he again suggested super-chlorinating the well. Mr. Brown stated Well No. 2 had these issues, but this is Well No. 1. He noted there is a phosphate system to address the iron discoloration in the water. Mr. Shackelford stated that was what the engineers were referring to; the iron discoloration and the iron related bacteria problem are “the same thing”.

Director Smith stated this is the first time the Board is dealing with red color in the water from this well; he asked if the chemicals used could have caused this. He noted the Board started getting complaints in August. He stated they had run the well for hours and the water was clear, and that it passed the bacteriological tests at that time. Director Smith asked about the sediment; Mr. Liesburger stated there will always be some natural, gravel sediment.

President Smalls asked if they were saying that there is still some iron related bacteria in the well. Mr. Liesburger said yes, and that is why he was recommending super-chlorination, to kill the bacteria. He explained the process of dropping calcium carbonate, and then pumping in sodium hypochlorite, with a large amount of liquid, forcing it outward into the aquifer, and then “surging” the water and the super chlorinating in and out.

Director Smith stated the Board did not have this problem until the well was cleaned. He stated he wanted the well contractors to go back with a camera and look for sediment. He asked if a metal brush could have produced the particles. Mr. Liesburger stated the process includes jetting with air, and all the sediment which can be removed, is removed, including sediment which was already there. Director Smith stated there could have been stuff left in there.

Mr. Liesburger stated he could view the camera survey, which goes down the whole way. Mr. Liesburger stated the well had been televised three times; Director Smalls asked if it had been televised since the problem has been reported, and he said no. She suggested doing the super-chlorination and testing, to see if it works. She stated if it does not, she will want the contractors to televise and trouble-shoot. Mr. Liesbruger explained the televising will not show bacteria or tell you how much bacteria is there, because bacteria is too small to see. Mr. Walla added the televising will simply show if anything is blocking the screens in the well, as well as any colored water.

Mr. Liesbruger stated Alsay always follows best practices, and they go above and beyond. President Smalls stated the Board would agree to super-chlorinate, and see what happens. Mr. Liesburger stated it will costs \$11,000 to super-chlorinate. President Smalls stated the Board should be able to expect good water after a well rehabilitation. Director Washington asked about splitting the costs, 50/50 with the contractor. Mr. Liesburger stated he understood the concern but

he could not agree to sharing any of the cost without management approval. He stated the bacteria is already there in the aquifer, and was not introduced into the environment by the contractor. He stated he would ask his boss. Mr. Shackelford asked if the super-chlorination does not work, and the Board wants to pull the well and do more videos, how much would that cost? Mr. Liesburger stated he would agree to do that work at cost, and do the camera survey free of charge, but there would be \$1,800 in labor. Director Smalls asked if there is information about the condition of the water in the aquifer, and Mr. Liesburger stated there might be such information for the wells his company had actually drilled in the first place. President Smalls stated there is a lot of information on the TCEQ website about the well.

The representatives from Alsay left the meeting, and the discussion continued. Director Watson stated the Board should consider other contractors. Mr. Shackelford stated there is a seam of red water from about 500 to 700 feet deep. He stated he would get an estimate for super-chlorination to the Board. Director Smith stated the contractor should have given information for possible changes to water quality resulting from the work. Director Watson asked if heat would have anything to do with this issue; Mr. Shackelford stated the ground insulates, so underground water is cool.

**6. SECURITY REPORT.** The Board reviewed the security report and updated the Board on various incidents.

**7. MINUTES.** The Board considered the minutes for the meeting of September 3, 2019. Following a discussion, it was moved by Director Watson and seconded by Director Smith to approve the minutes with revisions discussed, which motion passed 5-0.

**8. DETENTION FACILITIES REPORT.** There was no written report from Environmental Allies.

9. **DISTRICT FACILITY SECURITY.** Byron Thurmond thanked the Board and discussed issues with various locations and equipment.

10. **OPERATOR'S REPORT.** Laney Brown presented no written report. He discussed the pictures of Water Plant No. 2. He stated the Board might consider painting the whole plant and piping, with matching colors. President Smalls stated the Board would discuss colors after Mr. Brown provides an estimate. Director Watson asked why there was rust only in some spots, and Mr. Brown explained the angles of the sun affect dampness, which affects rust and growth of moss. Director Smith examined the rust damage, and asked if paint is being used which is not up to proper specifications. Mr. Shackelford stated the types of paint and primer, as well as the preparation of the surface, are all specified. He stated paint jobs usually only last 10 years in Houston. Director Watson asked if better, more expensive paint could be used. Director Smith stated it is negligent that the Board has not been informed. He stated the generator vent should be cleaned, and the electrical pieces are rusty as well. He stated the bushes have grown back on the fence line; President Smalls asked if Big Tree Service has been cutting enough.

11. **ENGINEER'S REPORT.** Ed Shackelford presented the engineer's report for AEI. Mr. Shackelford discussed the Capital Projects Plan, and the NPH Southpoint Phase II Detention Pond. He discussed the NPH Phase II Lift Station and presented Pay estimate No. 4 in the amount of \$250,666.20 for review, noting there is a 10% retainage in effect.

Mr. Shackelford discussed the Wastewater Treatment Plant Office and Potable Waterline, and presented Pay Estimate No. 1 and Final in the amount of \$196,178, along with the Certificate of Completion and Certificate of Acceptance, noting the 1 year warranty would run through September 3, 2020. He stated the TCEQ approval for Water Well No. 2 has been received.

Mr. Shackelford discussed the District Building project. He stated he had received the basic layout from the HVAC Consultant, and the Generator Consultant was providing information as well. He stated the cabinets had been completed, but when the work stopped for unpaid money and instructions, the company stored the cabinets, and now they want a storage fee. He stated Texas Engineering and Mapping will do an “as-built” survey of the foundation and an elevation certificate will need to be provided to Harris County. He stated the inlet pipes for the storm sewers must have elevations provided, as well. He noted the storm sewers may not have been done according to the design. He stated Harris County adopted new drainage rules in June of 2019, which he thinks will not apply to this site; he thinks the building site will be “grandfathered” as construction had already begun. President Smalls noted there will be a Building Committee Meeting on September 19, 2019.

Following a discussion, it was moved by Director Washington and seconded by Director Smith to approve the Engineer’s Report, along with items discussed, which motion passed 5-0.

Matthew Kelly gave the Second Engineering report. He stated Harris County Commissioner’s Court will be seeking authority to enter into an Interlocal Agreement for Storm Sewer Improvements in Morningside Place. He stated Drainage Ditch A135 will not be upgraded by HCFCD until 2021; he stated it may get pumped back into an earlier time frame.

**12. SUPPLEMENTAL BOOKKEEPING REPORT.** The Board considered the supplemental bookkeeping report, attached hereto as Exhibit “B”, and the checks for approval.

A motion was made by Director Smith, and seconded by Director Watson, to approve the Supplemental Bookkeeping report, along with the items discussed, which motion carried unanimously, 5-0.

**13. ADJOURNMENT/ FUTURE AGENDA ITEMS.** There being no further business to come before the Board, it was moved and seconded that the meeting be adjourned, which motion carried unanimously.

PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Secretary

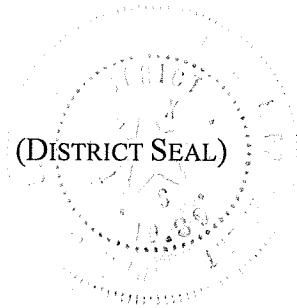
(DISTRICT SEAL)

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13. **ADJOURNMENT/ FUTURE AGENDA ITEMS.** There being no further business to come before the Board, it was moved and seconded that the meeting be adjourned, which motion carried unanimously.

PASSED, ADOPTED and APPROVED this 15<sup>th</sup> day of October, 2019.



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Annie Jenkins  
Secretary