

MINUTES OF REGULAR MEETING  
EAST MONTGOMERY COUNTY IMPROVEMENT DISTRICT  
December 19, 2018

THE STATE OF TEXAS           §  
  §  
COUNTY OF MONTGOMERY    §

The Board of Directors of East Montgomery County Improvement District (the “District”) met in Regular Session, open to the public, on the 19<sup>th</sup> day of December, 2018, at 5:30 p.m., at the East Montgomery County Improvement District Complex, 21575 U.S. Highway 59 North, EMCID Board Room 103, New Caney, Texas, within the boundaries of the District, and the following officers and members of the Board of Directors were present:

Brenda Webb	Chairperson
Dale Martin	Vice Chair
Stephen Carlisle	Secretary
Katherine Persson	Asst. Secretary
Fred Wetz	Treasurer/Investment Officer
Martin Zepeda	Asst. Treasurer
Leonard Rogers	Director
Richard Tramm	Director

with all of said persons being present, thus constituting a quorum.

Also present were Mr. Frank McCrady, Mr. Joe O’Connell, Ms. Kelley Mattlage, Ms. Sandy Seelye, Mr. David Marks, Mr. Joe Costanza, Ms. Katherine Turner and several others from the community, as shown on the attached sign in sheet.

Chair Webb called the meeting to order and announced that a quorum was present.

Director Rogers led in prayer followed by the pledges of allegiance led by the Cub Scouts and Boy Scouts.

As the first order of business, the Board considered the execution of Grant Agreements and the presentation of checks to the Community Development Grant recipients. The Board also presented Gringo’s Mexican Kitchen with a check for \$10,000 in connection with its Incentive Agreement with the District and presented scholarships to the two (2) departing interns.

The Board next considered comments from members of the audience. Chief Rinewalt with Montgomery County Emergency Services District No. 7 (“MC ESD 7”) reported on the status of the ladder truck. He stated that it is currently in the pre-build stage and will take approximately 360 days to complete. Chief Rinewalt stated that MC ESD 7 will invite a couple of directors to go on an inspection trip to Florida to view the truck assembly.

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The Board next considered the review and approval of the minutes of the Board of Directors meetings held on October 11, 2018 (5:30 p.m.), November 8, 2018, and November 26, 2018. After review and discussion, Director Rogers moved to approve the minutes of the Board of Directors meeting held on October 11, 2018 (5:30 p.m.), November 8, 2018, and November 26, 2018, as written. Director Martin seconded the motion, which unanimously carried.

The Board next deferred a report on the 2018 constable patrol security program at shopping centers located within the District during the holiday season.

The Board next considered the status of the Grant Agreement (“Agreement”) with MC ESD 7, relative to the purchase of a ladder truck. Mr. McCrady stated that he has received the executed Agreement from MC ESD No. 7 and noted that the item can be removed from the agenda.

The Board next considered the status of development of the District’s 12.85-acre site, including the construction of improvements and the leasing of space in the District’s office building. Mr. McCrady stated that had nothing new to report.

The Board next considered the financial, bookkeeping, cash flow and investment reports, and authorizing the payment of invoices presented as reflected in said reports. Ms. Turner presented the attached financial and investments reports, and discussed the invoices presented for payment. Following review, Director Wetz made a motion to approve said reports as presented and to authorize payment of invoices on the Operating Fund being check nos. 15819 through 16018, inclusive, three (3) wire transfers and debits for payroll, and on the Special Events Fund being check nos. 2632 through 2646, inclusive, with check no. 2472 being voided, as set forth on the attached reports. Director Zepeda seconded the motion, which unanimously carried.

The Board next considered a report on engineering and construction projects within the Industrial Park, including the status of contract with CBuilders LLC for construction of building #2 for YMER Technology. Mr. Costanza stated that the construction contracts are currently at the bonding and insurance companies. He noted that once JAC receives, he will forward the contractor to MRPC for review of the bonds and insurance.

The Board next considered the status of the sale of dirt excavated from the future detention pond site and the status of the contract with TDG for excavation and delivery of said dirt. Mr. Costanza reported that there were no new dirt sales this month.

The Board next considered the status of platting Sections 3 and 4. Mr. Costanza reported that the Section 3 & 4 plats were submitted to Montgomery County on Friday, November 9, 2018, and are currently under review. He stated that the review and recordation process at Montgomery

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County will take approximately 8-12 weeks and that the road bonds, 2018 tax certificates and title reports will be updated in conjunction with the plat recordation.

The Board next considered the following announcements: including:

- Director Persson reported that all Lonestar College-Kingwood infrastructural buildings will be open for January 2019 classes

The Board next recessed to Executive Session at 5:59 p.m. to discuss real property matters pursuant to §551.072, Texas Government Code, pending or contemplated litigation pursuant to §551.071, Texas Government Code, matters in which the duty of the attorney to the District under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with Chapter 551, Texas Government Code, pursuant to §551.071, Texas Government Code, and Economic Development negotiations pursuant to §551.087, Texas Government. The Board returned from Executive Session at 7:11 p.m.

The Board next considered the status of an economic development grants, including the status of the Incentive Agreement with YMER Technology (“YMER”) relative to its lease of buildings in the Industrial Park. Mr. McCrady stated that he has received the executed Agreement from YMER.

The Board next considered the status of an Incentive Agreement with Feel Better Consulting, LLC, dba Cumberland Health Center (“Cumberland”). Mr. McCrady stated that he has received updated information on the status of the Agreement.

The Board next considered the status of an Incentive Agreement with JHarp Land Management LLC (“JHarp”). Mr. McCrady stated that the Agreement is with JHarp for execution.

The Board next deferred the approval of an Incentive Agreement with HEB after Mr. McCrady stated he has not received the required Form 1295.

The Board next considered the approval of an Incentive Agreement with Royal Dough Bakers LLC (“Royal Dough”). Mr. McCrady stated he is proposing that the District offer \$10,000 for buildout improvements, ¼% sales tax rebate for 3 years, with 51% of employees hired being from within the District, signed Lease Agreement by January 31, 2019 and the designated “cookie of the month” be delivered to the District or its designated recipient every month for 3 years. After discussion, Director Martin moved to approve the foregoing terms of the Incentive Agreement with Royal Dough and authorize MRPC to prepare the Agreement and Mr. McCrady to execute same. Director Persson seconded the motion, which unanimously carried.

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The Board next considered a report on the activities within the Industrial Park, including the status of an Incentive Agreement and approval of a Purchase and Sale Agreement with Salt Technologies dba Agient Security relative to the purchase of a site in the Industrial Park. Mr. McCrady stated that he had nothing new to report.

The Board next considered the status of a Purchase and Sale Agreement (“Agreement”) with Novo Mexican Food Products (“Novo”) relative to the purchase of a site in the Industrial Park. Mr. McCrady stated that the purchase and sale transaction has closed.

The Board next deferred the approval of a Conveyance of Utility Facilities for water distribution and wastewater collection facilities to serve Industrial Park, Section 3 (Quadvest) to East Montgomery County MUD No. 3 (“EMC 3”), as the plat has not yet been recorded.

The Board next deferred the approval of a Conveyance of Utility Facilities for wastewater lift station and force main improvements to serve Industrial Park, Section 3 (Quadvest) to EMC 3, as the plat has not yet been recorded.

The Board next deferred the approval of a Conveyance of Utility Facilities for water and sanitary sewer facilities to serve Industrial Park, Section 4 (Clearwater) to EMC 3, as the plat has not yet been recorded.

The Board next considered matters for possible placement on future agendas.

There being no further business to come before the Board of Directors, the meeting was adjourned.



Stephen Carlisle  
Secretary, Board of Directors

(SEAL)

