

**Hidalgo County Water Improvement District Number Three
Board of Directors' Meeting
September 8, 2021**

Call to Order:

President Othal Brand, Jr. called a regular meeting to order at Trophy Towers located at 4800 N. 23rd, McAllen, Texas 78504. The meeting began by reciting the pledge of allegiance. President Othal Brand, Jr. gave the prayer invocation.

Board Members Present:

Othal Brand, Jr.	President
Mark Freeland	Secretary
W.D. Moschel	Director
Lance Neuhaus	Director

Absent:

Chris Burns	Vice-President
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Others Attending:

Frank Ferris	District Engineer
Macarena Ortiz	Attorney
Jim Hall	Ewing & Lara Accountants
Randy Whittington	Virtual Meeting with Zoom
Raquel Espinoza	
Tomas De Leon	
Jose Manuel De Leon	

Visitors:

Steve Taylor

Consideration and possible action regarding the approval of the Minutes for the Regular Board Meeting held on August 18, 2021.

A Motion was made by Mark Freeland and seconded by Lance Neuhaus to approve the Minutes of the Regular Board Meeting held on August 18, 2021. Revisions were made by Attorney Randy Whittington on the inclusions on Lance Neuhaus 'properties and other annexation of irri-gable properties into the District's boundaries.

Motion Carried.

Consideration and possible action regarding the financial reports and the approval of ac-counts payable checks.

Wednesday, September 8, 2021 at 12:00 p.m.

A Motion was made by Mark Freeland and seconded by Lance Neuhaus to approve the Account Payable Checks and to table the Financial Reports by Ewing & Lara.

Motion Carried and Financial Reports Item Tabled.

There was a decision to move the Board meetings to the 3rd Wednesday of the month to give ample time for Ewing and Lara to have the Financial Reports ready before the meetings.

General Report by President

President Othal Brand, Jr. reported that the District paid off the Line of Credit at the Texas Regional Bank. *(See attachment A- Line of Credit letter)*

President Othal Brand, Jr. discussed the ongoing progress in the Office Building Renovation and the decision to include sprinklers in the office in case of a fire.

The City of Hidalgo cracked the District irrigation 18- inch pipeline while they were working on the City water and sewer line project.

Carmen De Leon reported to the Board that the District pumped 760.00 acre feet and 745.00 acre feet into Lake Boeye Reservoir for the month of September.

Engineering Report

Water Report

Engineer Frank Ferris informed the Board that the District's storage balance at the beginning of the September Period was 4,670 acre feet or 38.7 percent of the maximum Storage Balance. The usable balance is 4,206 acre feet, being 49.2 percent of the annual water right. The U.S. share is down to 39.5 percent as of August 28.

Consideration and possible action to declare as surplus property a certain 300 square foot easement out of Lot 10 Section 4, Hidalgo Canal Company Subdivision, Hidalgo County, Texas.

A Motion was made by Mark Freeland and seconded by Lance Neuhaus to declare as surplus a 15x20 right-of-way easement property out of Lot 10 Section 4 Hidalgo Canal Company Subdivision and the surplus to be sold or exchanged for fair market value according to District Engineer Frank Ferris.

Motion Carried.

Consideration and possible action to release a 300 square foot easement out of Lot 10, Section 4, Hidalgo Canal Company Subdivision, Hidalgo County, Texas.

A Motion was made by Lance Neuhaus and seconded by Mark Freeland to release a 300 square foot easement out of Lot 10, Section 4, Hidalgo Canal Company Subdivision, Hidalgo County,

Texas in exchange by the grantee for payment to the District of reasonable expenses incurred by District engineer and attorney in the evaluation and preparation of the release.

Motion Carried.

Consideration and possible action to amend the District's Utility License Guidelines and Fee Schedule.

A Motion was made by Mark Freeland and seconded by W.D. Moschel to table this item pending further review at the next regular board meeting.

Item Tabled.

Consideration and possible action regarding the District's interest in Lot 4, Block 2, Fairway South Subdivision, Hidalgo County, Texas.

A Motion was made by W.D. Moschel and seconded by Mark Freeland to approve a letter by District's engineer, Mr. Ferris regarding District's interest on Lot 4 Block 2 Fairway South Subdivision, Hidalgo County, Texas.

Motion Carried.

Consideration and possible action regarding the District's interest in Lot 1 Dollar General Subdivision, Hidalgo County, Texas.

A Motion was made by Lance Neuhaus and seconded by Mark Freeland to approve the District's interest in Lot 1 Dollar General Subdivision and to authorize District Engineer Frank Ferris to send a letter that in addition, includes information related to the presence of Lateral R next to their property.

Motion Carried.

Consideration and possible action regarding the District's interest in 2.07 acre Tract out of Lot 17, Unit 1 Ebony Heights Citrus Groves Subdivision, Hidalgo, County, Texas.

A Motion was made by Mark Freeland and seconded by Lance Neuhaus to table this item.

Item Tabled.

Executive session pursuant to Sections 551.071 and 551.072, Texas Government Code. to consult with attorney and to deliberate regarding (i) pending eminent domain proceeding in Cause No. CCD-0517-D styled "Hidalgo County Water Improvement District No. 3 vs Hidalgo County Irrigation District No. 1" or the acquisition of an easement interest in real property from Hidalgo County Irrigation District No. 1, (ii) appeal from and petition for review of order granting plea to jurisdiction in Cause No. CCD-0517-D (iii) Cause No. C-0937-20-A styled Hidalgo County Irrigation District No. 1 vs. City of McAllen vs. Hidalgo County Water Improvement District No. 3 and (iv) other pending or potential litigation and/or legal matters.

CLOSED SESSION: Pursuant to Section 551.071 of the Texas Government Code for Consultation with the Attorney.

The Board went into closed session from 12:45 p.m. to 2:12 p.m.

Discussion and consideration of additional petitions for annexation of irrigable properties into District's boundaries and adoption of order setting hearing on each petition.

An Inclusion Petition was filed with the District by Othal Brand, Jr. and Sarah Brand on their property on Lots 1, 2, 3 Trenton Pecan Unit 1 Subdivision to be included in the District. Having previously filed an affidavit with the District disclosing his interest in the real property which is the subject of the petition, Othal Brand, Jr. abstained and did not participate in the consideration of the petition or vote on the matter of setting a hearing on the petition.

An inclusion petition was also filed by Pompeyo Quesada Trejo to annex his property his property 1127 Harvey, and 1128 Harvey into the District. The hearing on the petitions should take place at The Regular Board Meeting on October 20, 2021. A Motion was made by Lance Neuhaus and Seconded by Moschel to approve the Order setting Hearing on the above petitions.

Motion Carried.

No other petitions for annexation of property having been filed A Motion was made by Mark Freeland and seconded by Lance Neuhaus to table the consideration of additional petitions for annexation of irrigable properties into District's boundaries until the next regular board meeting.

Item Tabled.

Consideration and possible action regarding the approval of a license issued to the City of Hidalgo for a pipeline crossing on 10th street.

A Motion was made by Mark Freeland and seconded by Lance Neuhaus to table this item.

Item Tabled

Adjourn

Due to no further discussion a Motion was made by Mark Freeland and seconded by W.D. Moschel to adjourn the Board Meeting at 2:26 p.m.

Motion Carried.

Othal Brand, Jr. President

Mark Freeland, Secretary

Wednesday, September 8, 2021 at 12:00 p.m.