

MONTGOMERY COUNTY FRESH WATER SUPPLY DISTRICT #6  
NOTICE OF MEETING OF BOARD OF DIRECTORS

NOTICE IS HEREBY GIVEN that the Board of Directors of Montgomery County Fresh Water Supply District #6 will meet open to the public on June 12, 2022 at 4:00PM at the District Office Building, 12081 Lakeview Manor Drive, Willis, Texas. Montgomery County, Texas located within the District. The subject of and matters to be considered and acted upon at said meeting will include the following:

1. PUBLIC COMMENT
2. APPROVE THE MINUTES OF THE PREVIOUS MEETING: May 15, 2022
3. OPERATORS REPORT
  - Updates on Operations
4. ENGINEERS REPORT
  - Review and approve Emergency Preparedness Plan- Final Draft
  - Review and approve Pressure Tank
  - Review and approve Valve Design Plan
  - Review and approve Engineers Rate Order Study and adopt updated rates
5. UPDATE ON DISTRICT
  - Quarterly Report: Financial records since last meeting for review and approval.
  - Eldorado Software upgrade consideration, Device designation.
  - 2021 CCR Report Submitted to TCEQ
  - Director District Email Distribution and update on District Website.
6. FINANCIAL ADVISOR
  - Welcoming Mr. Bill Blitch
  - 2022 Preliminary Values, including Request for Estimate of Value
  - Truth In Taxation Unit Information Form- Return to Ms. Tammy McRae (Montgomery County Tax Assessor)
  - Truth In Taxation Packet- Due no later than July 1,2022
  - Consideration of tax meeting dates
7. ATTORNEYS REPORT
  - Review and adopt Red Flag Policy
  - Update on Insurance Renewal
  - Update on Director Training, including TOMA/PIA and Cybersecurity
  - Authorize record manager to destroy old meeting notes
  - Authorize filing of unclaimed property report

Update on proposals from Delinquent Tax Attorney **\*\*See Attached Notice Pursuant to Tex. Gov. Code Sec. 2254.1036\*\***

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8. Consider matters for future agendas, including scheduling of next meeting date.

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Tara Snoe – Bookkeeper

NOTICE PURSUANT TO GOVERNMENT CODE SEC. 2254.1036

WHEREAS, the Montgomery County Freshwater Supply District No. 6 ("District"), will consider entering into a contingent fee contract with the law firm of Perdue, Brandon, Fielder, Collins & Mott, L.L.P. ("Firm") and hereby posts this notice pursuant to Sec. 2254.1036 of the Government Code.

WHEREAS, this notice shall be posted before or at the time of giving the written notice required by Government Code Sec. 551.041 for a meeting described by Sec. 2254.1036(2) of the Government Code and shall announce the following:

A. The District is pursuing a contract with the Firm for the collection of delinquent property taxes owed to the District and through this contract the District seeks to increase recovery of these delinquent debts as expeditiously as possible. GOVT. CODE § 2254.1036(1)(A).

B. The District believes the Firm has the competency, qualifications, and experience necessary to fulfill this contract. GOVT. CODE § 2254.1036(1)(B). The Firm has collected delinquent government receivables for 51 years, including the collection of delinquent taxes. The Firm currently has 12 primary offices and multiple satellite offices throughout Texas. It employs more than 400 individuals, including 52 attorneys. It uses a multi-office, fully integrated team approach allowing the District access to all its offices and resources. Its collection team consists of long-term Firm employees, including attorneys, call center associates, paralegals, law clerks, legal secretaries, collection support personnel and information technology experts. The Firm utilizes proprietary collection software that can be tailored to meet any special need the District may have. This proprietary software also automates many aspects of the collection process, such as: account/debtor research, mailings and phone calls, return mail and address updates, payment notification and processing and workflow.

C. The nature of any relationship between the District and the Firm is as follows. GOVT. CODE § 2254.1036(1)(C).

The Firm has no previous relationship with the District.

D. The District is not set up to collect its delinquent taxes. GOVT. CODE § 2254.1036(1)(D). The District currently does not have adequate support staff, computer software/programming, or experience to internally conduct these collection services and acquiring these will result in substantial expense to the District. E. These collection services cannot efficiently be provided for an hourly fee. GOVT. CODES 2254.1036(1)(E). The Tax Code allows the assessment of a percentage-based fee to recover the costs of collecting delinquent taxes. This percentage-based fee is assessed only against parties delinquent in the payment of taxes to the District and not the District or taxpayers of the District. The collection of delinquent taxes is a high-volume practice, requiring a significant amount of research, mailing, and handling of outbound/inbound calls. An hourly fee for such work will likely exceed amount of delinquent taxes due. Moreover, the District will bear the cost of these hourly

fees and not the debtor, because the Tax Code does not expressly authorize the District to pay for collection services based on an hourly fee.

F. The District believes this contingent fee contract is in its best interest. GOVT. CODE 9 2254.1036(1)(F). Under the contingent fee contract, the Firm will be paid the amount of the percentage-based collection fee, regardless the number of hours the Firm spends researching, contacting and mailing to collect the delinquent debt. Additionally, the percentage-based collection penalty is a pass-through expense to the debtor and not an expense to the District or taxpayers in the District who are not delinquent in the payment of their taxes.

BOOKKEEPER CERTIFICATE

IT IS CERTIFIED that a true and Correct Copy of the FOREGOING NOTICE was posted at a place convenient to the public at all times at the Administrative Office at a said District at \_\_\_\_\_ on \_\_\_\_\_.

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T Snoe—Bookkeeper