

MINUTES OF MEETING  
OF THE  
BOARD OF DIRECTORS

AUGUST 22, 2017

STATE OF TEXAS §  
  §  
COUNTY OF HARRIS §  
  §  
NORTHWEST HARRIS COUNTY §  
MUNICIPAL UTILITY DISTRICT NO. 28 §

The Board of Directors (the "Board") of Northwest Harris County Municipal Utility District No. 28 (the "District"), noticed a regular session, open to the public, to be held at 6:30 p.m., on Tuesday, August 22, 2017, at 20811 Normandy Forest Drive, Spring, Texas 77388, a designated meeting place located inside the boundaries of the District. Whereupon, at 6:30 p.m., the roll was called of the members of the Board, to-wit:

- |                      |   |                     |
|----------------------|---|---------------------|
| E. Dwight Osteen, II | - | President           |
| Thomas Pratt         | - | Vice President      |
| Richard C. Doll      | - | Secretary           |
| Denenan A. Bennett   | - | Assistant Secretary |
| Troy Zuckero         | - | Assistant Secretary |

All members of the Board were present, thus constituting a quorum. Copies of the notices are attached hereto.

Also present at the meeting were Vicki Busboom of VLB Bookkeeping Services ("VLB"), Bookkeeper for the District; Mark Adams of Bleyl & Associates ("Bleyl"), Engineers for the District; David Ferrier of Equi-Tax, Inc. ("Equi-Tax"), Tax Assessor for the District; Robb Clark of Hays Utility South ("Hays"), Operator for the District; Deputy Ketrick McCutcheon and Sgt. William Colley, Deputy Constables with Harris County Precinct 4; and Ryan LaRue of Sanford Kuhl Hagan Kugle Parker Kahn LLP ("SK Law"), Attorneys for the District.

**HEAR FROM PUBLIC**

The Board noted that no public was present who wished to address the Board.

## **WEBSITE REPORT**

The Board recognized Director Bennett who, on behalf of Off Cinco, presented the Website Report for the period July 16 through August 14, 2017. The Board noted that a resident had inquired as to why the District did not provide recycling.

It was a consensus of the Board that Director Bennett respond to the resident's inquiry and encourage the resident to attend the September Board meeting. The Board noted that no further action was necessary in connection with the Website Report. A copy of the Report is on file in the official records of the District.

## **CONSTABLE'S REPORT**

The Board recognized Deputy Ketrick, who updated the Board on calls/complaints originating in the District.

The Board noted that no action was necessary in connection with the Constable's Report. A copy of the Report is on file in the official records of the District.

## **ENGINEER'S REPORT**

The Board recognized Mr. Adam, who presented to and reviewed with the Board the Engineer's Report, a copy of which is on file in the official records of the District.

Upon motion by Director Bennett, seconded by Director Pratt, and after full discussion, the Board voted unanimously to approve the Engineer's Report, as submitted.

## **TAX ASSESSOR-COLLECTOR'S REPORT**

The Board recognized Mr. Ferrier, who presented to and reviewed with the Board the Tax Assessor-Collector's Report for July 2017, a copy of which is on file in the official records of the District.

Upon motion by Director Pratt, seconded by Director Bennett, and after full discussion, the Board voted unanimously to approve the Tax Assessor-Collector's Report.

Mr. Ferrier then reviewed with the Board candidates for write-off from the delinquent tax roll, a copy of which list is on file in the official records of the District.

Upon motion by Director Pratt, seconded by Director Doll, and after full discussion, the Board approved the write-off of delinquent tax accounts, as submitted.

### **BOOKKEEPER'S REPORT**

The Board recognized Ms. Busboom, who presented to and reviewed with the Board the Bookkeeper's Report, invoices submitted for payment, and the Quarterly Investment Report, copies of which are on file in the official records of the District.

Upon motion by Director Zuckero, seconded by Director Pratt, and after full discussion, the Board voted unanimously to approve the (1) Bookkeeper's Report; (2) payment of invoices; and (3) Quarterly Investment Report.

### **OPERATOR'S REPORT**

The Board recognized Mr. Clark, who presented the Operator's Report for July 2017, a copy of which is on file in the official records of the District.

Upon motion by Director Zuckero, seconded by Director Doll, and after full discussion, the Board voted unanimously to approve the Operator's Report July 2017, and authorize termination of delinquent accounts.

Mr. Clark then presented to and reviewed with the Board a fire hydrant inspection report, and requested authorization for needed repairs, a copy of which report is on file in the official records of the District.

Upon motion by Director Zuckero, seconded by Director Pratt, and after full discussion, the Board voted unanimously to all repairs to the fire hydrants, except for riser installation/replacement.

### **SECURITY COMMITTEE'S REPORT**

No report was offered. Director Pratt advised that he has requested information from two company regarding license plate readers, but has not yet received the requested information.

The Board noted that no action was necessary with the Security Committee's Report.

## **APPROVAL OF MINUTES**

The proposed Minutes of the meetings of the Board held March 28, 2017; April 3, 2017; April 22, 2017; May 22, 2017; May 31, 2017; July 6, 2017; July 25, 2017; and August 10, 2017, previously distributed to the Board were presented for consideration and approval.

Upon motion by Director Pratt, seconded by Director Doll, and after full discussion, Directors Osteen, Pratt, Doll, and Zuckero voted to approve the Minutes of the meetings of the Board held March 28, 2017; April 3, 2017; April 22, 2017; May 22, 2017; May 31, 2017; July 6, 2017; July 25, 2017; and August 10, 2017, as submitted. Director Bennett abstained from voting.

The Board noted that the Minutes of the meetings of the Board held April 25, 2017; May 10, 2017; May 23, 2017; June 20, 2017; and June 27, 2017, either (1) were prepared by Coats Rose and contained inaccuracies, or (2) were not prepared by Coats Rose prior to the termination of Coats Rose. A motion was presented to appoint a subcommittee of two Directors to draft Minutes. The motion died for lack of a second.

Upon motion by Director Pratt, seconded by Director Zuckero, and after full discussion, the Board voted unanimously to authorize Director Osteen to prepare a Minute Report regarding actions by prior Directors and inaccuracies contained in Minutes drafted by Coats Rose.

## **DONATION TO HOA**

The Board recognized Director Osteen, who requested that the District donate \$1,500 to the Normandy Forest HOA for the HOA's National Night Out Program.

Upon motion by Director Doll, seconded by Director Pratt, and after full discussion, the Board voted unanimously to approve the donation of \$1,500 to Normandy Forest HOA for the HOA's National Night Out Program.

## **ATTORNEY'S REPORT**

### **Resolution Providing for Annual Review of Identity Theft Prevention Program**

The Board recognized Mr. LaRue, who presented to the Board for approval a Resolution (the "ID Theft Resolution") Providing for Annual Review of Identity Theft Prevention Program (the "Program"). In connection therewith, Mr. Clark noted that Hays had reviewed the Program, and indicated that, over the previous year, no significant red flag events had occurred. Moreover, Mr. Clark advised that he recommends no changes to the Program at this time.

Upon motion by Director Pratt, seconded by Director Doll, and after full discussion, the Board voted unanimously to approve the ID Theft Resolution.

### **Resolution Evidencing Annual Review of Emergency Preparedness Plan**

The Board recognized Mr. LaRue, who noted that the District is required to review and update the Emergency Preparedness Plan (EPP) on an annual basis. He stated that a review of the District's files reflected that the District's EPP was last updated in 2010. Mr. Bleyl stated that he will work with the District's attorney to revise the EPP and file it with the TCEQ, as required.

Upon motion by Director Pratt seconded by Director Doll, and after full discussion, the Board unanimously voted to approve the Order Evidencing Annual Review of the Emergency Preparedness Plan.

### **Consider Approving Unclaimed Property Report**

The Board then considered approving the District's Unclaimed Property Report. The Board noted that bookkeeper submitted a check to the Texas Comptroller prior to July 1.

Upon motion made by Director Pratt, seconded by Director Doll, and after full discussion, the Board voted unanimously to approve the Unclaimed Property Report.

### **HOA Easements**

The Board deferred action on this item.

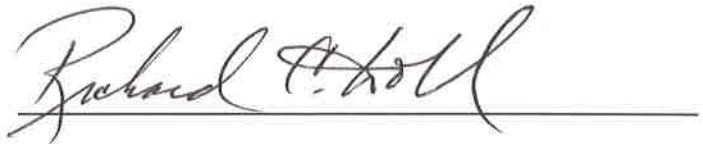
**Park Bonds**

The Board recognized Mr. LaRue, who provided a brief update on the status of the park bonds to be issued.

**ADJOURNMENT**

There being no further business to come before the Board, upon motion made, seconded, and approved unanimously, the meeting was adjourned.

PASSED, APPROVED, AND ADOPTED, this 26th day of September, 2017.



Secretary, Board of Directors



**AGENDA**  
**NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 28**

Notice is hereby given that, pursuant to V.T.C.A. Government Code, Chapter 551, the Board of Directors of Northwest Harris County Municipal Utility District No. 28 will meet in regular session, open to the public, at 6:30 p.m., on Tuesday, August 22, 2017, at Normandy Forest Clubhouse, 20811 Normandy Forest Drive, Spring, Harris County, Texas 77388, at which meeting the following items will be considered and acted on:

1. Hear from Public (each speaker limited to 3 minutes);
2. Hear Website Report and take any action thereon, including: (5 minutes)
  - (a) discuss and take action on "Contact Us" questions/comments/concerns;
3. Hear Constable's Report and take any action thereon; (10 minutes)
4. Hear Engineer's Report and take any action thereon, including: (20 minutes)
  - (a) consider authorizing Engineer to proceed with the design of District facilities;
  - (b) consider approving plans and specifications of District facilities;
  - (c) consider authorizing Engineer to advertise for bids for District projects;
  - (d) consider and act on wall construction;
  - (e) discuss and review Revised Lift Station Agreement and consider any action recommended;
5. Hear Tax Assessor/Collector's Report, and take any action thereon, including: (10 minutes)
  - (a) consider approving payment of tax bills;
  - (b) consider ratifying approval of contract with First Billing; and
  - (c) consider candidates for write-off from delinquent tax roll;
6. Hear Bookkeeper's Report and take any action thereon, including: (10 minutes)
  - (a) consider approving payment of bills;
  - (b) consider approving Investment Report; and
  - (c) review Klein ISD balances for repair escrow and water/sewer usage;
7. Hear Operator's Report, and take any action thereon, including: (10 minutes)
  - (a) consider authorizing repairs to District facilities;
  - (b) consider authorizing maintenance to District facilities;
  - (c) consider approving termination of service to delinquent accounts;
8. Hear Security Committee's Report and take any action thereon; (10 minutes)
9. Consider approving Minutes of meetings held March 28, 2017; April 3, 2017; April 22, 2017; April 25, 2017; May 10, 2017; May 22, 2017; May 23, 2017; May 31, 2017; June 20, 2017; June 27, 2017; July 6, 2017; July 25, 2017; and August 10, 2017;
10. Consider approving \$1500 donation to Normandy Forest HOA for National Night Out program; (10 minutes)
11. Hear Attorney's Report and take any action thereon, including:
  - (a) consider approving Resolution Evidencing Annual Review of Identity Theft Prevention Policy;
  - (b) consider approval Resolution Evidencing Annual Review of Emergency Preparedness Plan;
  - (c) consider approving Annual Unclaimed Property Report;
  - (d) consider accepting Easements for Normandy Forest HOA; and
  - (e) hear status on Park Bonds.

Pursuant to V.T.C.A. Government Code §551, the Board of Directors may convene in closed session in relation to any agenda item included in this Notice with such closed session to be held at the date, hour, and place given in this Notice concerning any and all subjects for any and all purposes permitted by V.T.C.A Government Code Chapter 551, including but not limited to, private consultation with the District's Attorneys on any or all matters or subjects authorized by law, pending or contemplated litigation, personnel matters, real estate transactions, security devices, economic development negotiations and/or gifts and donations.

EXECUTED 17th day of August, 2017.



NORTHWEST HARRIS COUNTY MUNICIPAL  
UTILITY DISTRICT NO. 28

By: \_\_\_\_\_

Ryan LaRue

Sanford Kuhl Hagan Kugle Parker Kahn, LLP  
Attorneys for the District

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10. Consider approving \$1500 donation to Normandy Forest HOA for National Night Out program; (10 minutes)
11. Hear Attorney's Report and take any action thereon, including:
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  - (b) consider approval Resolution Evidencing Annual Review of Emergency Preparedness Plan;
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  - (e) hear status on Park Bonds.

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08/17/2017 PERSONAL  
\$9.00 MPR - NOTICE MTG

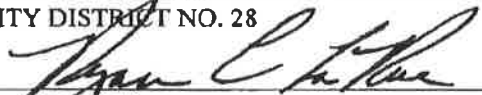
08/17/2017  
HARRIS COUNTY, TEXAS  
COUNTY CLERK  
Van Stewart  
NOTICE  
AUG 17 PM 12:40

**FILED**

Pursuant to V.T.C.A. Government Code §551, the Board of Directors may convene in closed session in relation to any agenda item included in this Notice with such closed session to be held at the date, hour, and place given in this Notice concerning any and all subjects for any and all purposes permitted by V.T.C.A Government Code Chapter 551, including but not limited to, private consultation with the District's Attorneys on any or all matters or subjects authorized by law, pending or contemplated litigation, personnel matters, real estate transactions, security devices, economic development negotiations and/or gifts and donations.

EXECUTED 17th day of August, 2017.

NORTHWEST HARRIS COUNTY MUNICIPAL  
UTILITY DISTRICT NO. 28

By:   
Ryan LaRue  
Sanford Kuhl Hagan Kugle Parker Kahn, LLP  
Attorneys for the District





CERTIFICATE OF POSTING OF NOTICE OF MEETING

THE STATE OF TEXAS §

HARRIS COUNTY §

NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 28 §

I, Marcia Stappenberg, the undersigned, hereby state that I posted the attached Notice of Meeting of the Board of Directors of Northwest Harris County Municipal Utility District No. 28 at 20811 Normandy Forest Dr., Spring, Texas, the location inside the boundaries of the District designated for the posting of agendas, on the 18<sup>th</sup> day of August, 2017 at 12:10 o'clock p.m., which time was not less than 72 hours prior to the scheduled time of the meeting.

Marcia Stappenberg  
(Name)

CERTIFICATE OF POSTING OF NOTICE OF MEETING

THE STATE OF TEXAS §  
COUNTY OF HARRIS §  
NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 28 §

I, Tara Smith, the undersigned, hereby state that I posted the attached Notice of Meeting of the Board of Directors of Northwest Harris County Municipal Utility District No. 28 in the administrative office at Sanford Kuhl Hagan Kugle Parker Kahn, LLP., 1980 Post Oak Boulevard, Suite 1380, Houston, Texas 77056 on August 17, 2017 which time is more than 72 hours before the meeting.

  
Tara Smith

Date: Aug 22, 2017

**ATTENDANCE LIST**  
**Northwest Harris County MUD No. 28**

- E. Dwight Osteen, II (President)
- Thomas Pratt (Vice President/Treasurer)
- Richard C. Doll (Secretary)
- Denean A. Bennett (Asst Secretary)
- Troy Zuckero (Asst Secretary)

<b>Bookkeeper</b>		<b>Website – Off Cinco</b>	
Vicki Busboom	<input checked="" type="checkbox"/>	Shannon Waugh	
<b>Engineer – Bleyl Engineering</b>		<b>Operator – Hays Utility</b>	
Mark Adams	<input checked="" type="checkbox"/>	Robb Clark	<input checked="" type="checkbox"/>
<b>Auditor - Roth and Eyring</b>		<b>Constable</b>	
Mark Eyring		Deputy McCutcheon	<input checked="" type="checkbox"/>
		Sgt. Colley	<input checked="" type="checkbox"/>
<b>Tax A/C – Equi-Tax</b>		<b>Attorney – SK Law</b>	
Vickey Sullivan	<input checked="" type="checkbox"/>	Ryan LaRue	<input checked="" type="checkbox"/>
David Ferrier	<input checked="" type="checkbox"/>		

**NOTES:** \_\_\_\_\_  
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