

MINUTES OF MEETING  
OF THE  
BOARD OF DIRECTORS

OCTOBER 24, 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, October 24, 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
Denean 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; Austin Beck 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; Mark Eyring of Roth & Eyring, the District's Auditors; Deputy Ketrick McCutcheon and Sgt. William Colley, Deputy Constables with Harris County Precinct 4; Ryan LaRue of Sanford Kuhl Hagan Kugle Parker Kahn LLP ("SK Law"), Attorneys for the District; and Barbara Nussa of Republic Services.

## **PUBLIC HEARING ON PROPOSED 2017 TAX RATE**

At 6:31 p.m., the Board opened the meeting to a public hearing on the proposed 2017 tax rate for the District. The Board recognized Mr. LaRue, who reminded the Board that at the District's meeting on September 26, 2017, the Board discussed the District's tax rate for 2017. At such meeting the Board authorized publication of a 2017 tax rate of \$0.68 per \$100 valuation for debt service purposes and for maintenance and operation purposes. The Board then reviewed an analysis presented by the District's Financial Advisor and discussed the proposed 2017 tax rate. Director Doll presented his analysis for setting a \$0.68 tax rate, and Director Zuckero presented his analysis for setting a \$0.66 tax rate. The analyses of Directors Doll and Zuckero are on file in the official records of the District. The Board noted that there were no members of the public present who wished to comment on the 2017 tax rate, and closed the public hearing at 7:06 p.m., and resumed the regular meeting.

### **Order Setting Tax Rate for 2017**

Consideration was then given to the adoption of an Order Setting Tax Rate and Levying Tax for 2017.

Upon motion by Director Doll, seconded by Director Pratt, and after full discussion, Directors Doll, Pratt, Osteen, and Bennett voted to set and levy a 2017 tax rate of \$0.68 per \$100 of assessed valuation, which tax shall be allocated \$0.445 per \$100 valuation for debt service purposes and \$0.235 per \$100 valuation for maintenance and operation purposes, and to adopt the Order Setting Tax Rate and Levying Tax evidencing the same. Director Zuckero voted against the Motion.

### **Amendment to Notice to Sellers and Purchasers**

Consideration was then given to a proposed Amendment to Notice to Sellers and Purchasers. Mr. LaRue informed the Board that the Notice to Sellers and Purchasers will be revised to reflect the 2017 tax rate levied by the District. Mr. LaRue also noted that the Notice

will be filed in the Harris County Real Property records and with the Texas Commission on Environmental Quality (the "Commission").

Upon motion by Director Doll, seconded by Director Pratt, and after full discussion, the Board by unanimous vote approved the Amendment to Notice to Sellers and Purchasers of Real Estate Located Within the District and authorized Mr. LarRue to file said Notice in the Harris County Real Property Records and with the Commission.

**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 September 15 through October 14, 2017.

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.

**ENGAGE AUDITOR**

The Board next considered engagement of an Auditor for the District. The Board recognized Mr. Erying, who submitted to and reviewed with the Board a proposed Engagement Letter between the District and Roth & Erying for preparing the District's 2017 and 2018 fiscal year end audits.

Upon motion by Director Bennett, seconded by Director Doll, and after full discussion, the Board voted unanimously to engage Roth & Eyring to prepare the District's 2017 and 2018 fiscal year end audits, and to authorize execution of the Engagement Letter as submitted.

**ENGINEER'S REPORT**

The Board recognized Mr. Beck, 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. Director Doll inquired about the status of the revised Lift Station Agreement and requested an update from the Engineer.

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

**FINANCIAL ADVISOR'S REPORT**

No further report was offered.

**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 September 2017, a copy of which is on file in the official records of the District.

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

**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 Investment Report, copies of which are on file in the official records of the District.

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

**OPERATOR'S REPORT**

The Board recognized Mr. Clark, who presented the Operator's Report for September 2017, a copy of which 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 approve the Operator's Report September 2017, and authorize termination of delinquent accounts.

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

Director Pratt presented the Security Committee Report, a copy of which is on file in the official records of the District. Director Pratt then presented proposals for resolving the issues with the District's current security system, as follows: (1) LPR cameras and licensing to use existing bullet cameras; and (2) LPR cameras with replacement bullet cameras.

Upon motion by Director Doll, seconded by Director Zuckero, and after full discussion, the Board voted unanimously to approve Option #2, including the purchase of LPR cameras and replacement bullet cameras at a cost not to exceed \$17,500.

### **APPROVAL OF MINUTES**

The proposed Minutes of the meetings of the Board held September 25, September 26, and October 5, 2017, previously distributed to the Board were presented for consideration and approval. Director Osteen presented a Minute Memorandum regarding the Minutes of April 25, 2017, which Minute Memorandum included the Directors' comments and concerns about errors in the April 25, 2017, Minutes.

Upon motion by Director Doll, seconded by Director Zuckero, and after full discussion, Directors Doll, Zuckero, Osteen, and Pratt voted to (1) approve the Minutes of the meetings held September 25, September 26, and October 5, 2017, as submitted; (2) approve and accept Director Osteen's Minute Memorandum regarding the April 25, 2017 Minutes, subject to final review by the District's attorney; and (3) approve the April 25, 2017, Minutes, as amended to include Minute Memorandum. Director Bennett abstained from voting, noting that she had not timely received Director Osteen's Minute Memorandum.

**ATTORNEY'S REPORT**

**Consent Agenda**

The Board deferred action on this item.

**Reconstitute the Board**

The Board recognized Mr. LaRue, who noted that the Board, as constituted, did not designate an Assistant Secretary and that, in the absence of Director Doll, no Director had authority to sign as the District's Secretary.

Upon motion by Director Pratt, seconded by Director Doll, and after full discussion, the Board voted unanimously to (1) reconstitute the Board, as follows: President – E. Dwight Osteen II; Vice President – Thomas Pratt; Secretary – Richard Doll; Assistant Secretary – Denean Bennett; and Assistant Secretary – Troy Zuckero; and (2) authorize preparation of a revised District Registration Form and filing of same with the Texas Commission on Environmental Quality.

**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 19th day of December, 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, October 24, 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. **PUBLIC HEARING ON PROPOSED 2017 TAX RATE;**
  - (a) Consider adopting Order Setting 2017 Tax Rate;
  - (b) Consider approving Amendment to Notice to Sellers and Purchasers;
2. Hear from Public (each speaker limited to 3 minutes);
3. Hear Website Report and take any action thereon, including: (5 minutes)
  - (a) discuss and take action on "Contact Us" questions/comments/concerns;
4. Hear Constable's Report and take any action thereon; (10 minutes)
5. 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;
6. Hear Financial Advisor's Report and take any action thereon;
7. 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;
8. 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;
9. 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;
10. Hear Security Committee's Report and take any action thereon; (10 minutes)
11. Consider engaging Auditor to prepare annual financial reports for fiscal years ending December 31, 2017, and December 31, 2018;
12. Consider approving Minutes of meetings held April 25, 2017; June 20, 2017; June 27, 2017; September 25, 2017; September 26, 2017; and October 5, 2017;
13. Hear Attorney's Report and take any action thereon, including:
  - (a) discuss use of Consent Agenda at future meetings;
  - (b) consider reconstituting Board to include Assistant Secretary position(s); and
  - (c) 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 the 17th day of October, 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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1289390  
10/18/2017 PERSONAL  
\$9.00 MPR - NOTICE MTG

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6. Hear Financial Advisor's Report and take any action thereon;
7. 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;
8. 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;
9. 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;
10. Hear Security Committee's Report and take any action thereon; (10 minutes)
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12. Consider approving Minutes of meetings held April 25, 2017; June 20, 2017; June 27, 2017; September 25, 2017; September 26, 2017; and October 5, 2017;
13. Hear Attorney's Report and take any action thereon, including:
  - (a) discuss use of Consent Agenda at future meetings;
  - (b) consider reconstituting Board to include Assistant Secretary position(s); and
  - (c) 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 the 17th day of October, 2017.



NORTHWEST HARRIS COUNTY MUNICIPAL  
UTILITY DISTRICT NO. 28

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

*Stan Stewart*  
COUNTY CLERK  
HARRIS COUNTY TEXAS

17 OCT 18 PM 12:45

FILED



CERTIFICATE OF POSTING OF NOTICE OF MEETING

THE STATE OF TEXAS §

HARRIS COUNTY §

NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 28 §

I, Marcia Stoppelberg, 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 19<sup>th</sup> day of October, 2017 at 10:31 o'clock a.m., which time was not less than 72 hours prior to the scheduled time of the meeting.

Marcia Stoppelberg  
(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 at 11:00 a.m., on October 18, 2017 which time is more than 72 hours before the meeting.

Tara Smith

Date: 10-24-17

**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		Robb Clark	<input checked="" type="checkbox"/>
<i>AUSTIN BECK</i>	<input checked="" type="checkbox"/>		
<b>Auditor - Roth and Eyring</b>		<b>Constable</b>	
Mark Eyring	<input checked="" type="checkbox"/>	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		Ryan LaRue	<input checked="" type="checkbox"/>
David Ferrier	<input checked="" type="checkbox"/>		

NOTES: Barbara Nussle - Republic

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