

MINUTES OF MEETING  
OF THE  
BOARD OF DIRECTORS

OCTOBER 23, 2018

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 23, 2018, 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
Harry B. "Hal" Walker	-	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, Bookkeeper for the District; Austen 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 ("Hays"), Operators for the District; Deputy McCutcheon and Sgt. Colley with Harris County Precinct 4; Ryan E. LaRue of Sanford Kuhl Hagan Kugle Parker Kahn LLP ("SK Law"), Attorneys for the District; and Members of the Public shown on the attached Attendance List.

## **PUBLIC HEARING ON PROPOSED 2018 TAX RATE**

At 6:31 p.m., the Board opened the meeting to a public hearing on the proposed 2018 tax rate for the District. The Board recognized Mr. LaRue, who reminded the Board that at the District's meeting on September 25, 2018, the Board discussed the District's tax rate for 2018. At such meeting the Board authorized publication of a 2018 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 2018 tax rate. Director Doll presented his tax rate analysis. The Board received comments from members of the public present who wished to comment on the 2018 tax rate, closed the public hearing at 6:44 p.m., and resumed the regular meeting.

### **Order Setting Tax Rate for 2018**

Consideration was then given to the adoption of an Order Setting Tax Rate and Levying Tax for 2018.

Upon motion by Director Doll, seconded by Director Pratt, and after full discussion, the Board voted unanimously to set and levy a 2018 tax rate of \$0.68 per \$100 of assessed valuation, which tax shall be allocated \$0.44 per \$100 valuation for debt service purposes and \$0.24 per \$100 valuation for maintenance and operation purposes, and to adopt the Order Setting Tax Rate and Levying Tax evidencing the same.

### **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 2018 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 Walker, 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. LaRue to file said Notice in the Harris County Real Property Records and with the Commission.

### **HEAR FROM PUBLIC**

The Board recognized several residents, all of whom addressed the Board regarding various issues and concerns with the District's perimeter wall.

### **WEBSITE REPORT**

The Board recognized Director Bennett, who presented the Website Report for the period September 15 – October 14, 2018.

The Board noted that no 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 McCutcheon, 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.

### **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.

Mr. Beck updated the Board on the status of the wall construction project and noted that the Contractor had requested Change Order No. 4, in the amount of \$50,250.00 for 67 additional hydroexcavations for the wall columns.

Director Doll also discussed some of the issues regarding the wall construction project which had been raised by members of the public. The Board received additional comments from the public regarding the perimeter wall.

Mr. Beck also discussed with the Board sanitary sewer service requirements for the development of the Terpstra 5.56 acre tract on Spring Cypress.

Upon motion by Director Walker, seconded by Director Bennett, and after full discussion, the Board voted unanimously to approve (1) the Engineer's Report, as submitted; and (2) Change Order No. 4 in the amount of \$50,250.00, payable to Aber Construction for 67 additional hydroexcavations for the wall columns.

#### **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 2018, a copy of which is on file in the official records of the District.

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

#### **OPERATOR'S REPORT**

The Board recognized Mr. Clark, who submitted to and reviewed with the Board the Operator'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 Operator's Report.

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

No report was offered

**CAPITAL IMPROVEMENT COMMITTEE'S REPORT**

Director Osteen recognize Mr. LaRue, who updated the Board on the status of the amendment to the Utility Development Agreement with Klein ISD.

**APPROVAL OF MINUTES**

The proposed Minutes of the meetings of the Board held September 25, 2018, and October 12, 2018, previously distributed to the Board, were presented for consideration and approval. It was noted that additional information should be included in the October 12 Minutes regarding numbering of the post holes for the perimeter wall.

Upon motion by Director Walker, seconded by Director Pratt, and after full discussion, the Board voted unanimously to approve the Minutes of the meeting held September 25, 2018 as submitted, and the Minutes of the meeting held October 12, 2018, as amended.

**ATTORNEY'S REPORT**

**Parking/Traffic Issues**

The Board took no action on this item.

**Amendment to Utility Development Agreement**

The Board deferred action on this item.

**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 27th day of November, 2018.

(SEAL)



  
Secretary, Board of Directors