

MINUTES OF MEETING  
OF THE  
BOARD OF DIRECTORS

JANUARY 28, 2019

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 special session, open to the public, to be held at 2:00 p.m., on Monday, January 28, 2019, at 20811 Normandy Forest Drive, Spring, Texas 77388, a designated meeting place located inside the boundaries of the District. Whereupon, at 2:06 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, except Directors Osteen and Pratt, thus constituting a quorum. Copies of the notices are attached hereto.

Also present at the meeting were Austen Beck of Bleyl & Associates (“Bleyl”), Engineers for the District; John Staley and Dan Sherer of Aber Fence (“Aber”); and Deidra Daniels (paralegal) of SK Law, Attorneys for the District.

**HEAR FROM PUBLIC**

The Board noted that no public wished to address the Board.

**PERIMETER WALL PROJECT**

The Board recognized Director Doll, who provided an overview of the perimeter wall (the “Wall”) construction issues to be discussed and reviewed a timeline of relevant events regarding

construction of the Wall at the intersection of Normandy Forest and Falvel. Discussion occurred between and among the Directors, Mr. Beck, Mr. Staley, and Mr. Sherer.

### **RECESS**

At 2:45 p.m., upon motion duly made and seconded, and after full discussion, the Board voted unanimously to recess to allow Messrs. Beck, Staley, and Sherer to discuss a resolution of the Wall issues outside the presence of the Board.

### **RECONVENE**

At 2:56 p.m., the Board reconvened.

### **PERIMETER WALL PROJECT**

The Board recognized Mr. Beck, who, on behalf of Bleyl and Aber, proposed the following resolution of construction issues regarding the Wall at Normandy Forest and Falvel: (1) The District will pay (i) \$10,800 for the cost of 6 columns installed prior to October 23, 2018; (ii) \$1,800 for the removal of the columns and base; and (iii) \$9,100 for the return/restock fee for unused CMU blocks; (2) Aber will pay (i) \$10,800 for CMU blocks which were installed after November 15, 2018; (ii) \$4,000 for the removal of the CMU blocks; (iii) \$500 to backfill the location; and (iv) \$1,200 for disposal fees; and (3) Bleyl will pay \$13,000 for the trenching and footing foundation installed between October 23 and November 15, 2018.

Upon motion duly made and seconded, and after full discussion, the Board voted unanimously to accept and approve the proposal, as presented.

Director Doll noted that the Wall Committee will present a report to the Board at the February 26 Board meeting.

### **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 February, 2019.

*Richard P. Wolf*  
Secretary, Board of Directors

(SEAL)

