

## HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 238

### Minutes of Meeting of Board of Directors May 22, 2018

The Board of Directors ("Board") of Harris County Municipal Utility District No. 238 ("District"), met at 17332 Groeschke Road, Houston, Texas, 77084, a designated meeting place of the District, in accordance with the duly posted notice of meeting, and the roll was called of the duly constituted officers and members of said Board, as follows:

Randy Love, President  
Gary Nelson, Vice President  
C.L. "Steve" Crane, Secretary  
Gary Tober, Assistant Secretary  
Ronald Julun, Director

all of said persons were present, thus constituting a quorum.

Also present were Cynthia Colondres of Municipal Accounts & Consulting, L.P. ("MA&C"); Taylor Reed of Van De Wiele & Vogler, Inc., ("VVI"); Michael Williams and Jeanette Montes of Gulf Utility Service, Inc. ("GUS"); Jonathan Roach and Frank Mitchell of Roach & Mitchell, PLLC ("RMPLLC"); Josh Fort of Champions Hydro-Lawn ("Champions"); Ray Arce of Wheeler & Associates, Inc. ("Wheeler"); and Marcia Thomas a resident of the District.

The President called the meeting to order and declared it open for such business as might come before it.

#### APPROVE MINUTES

Mr. Roach presented the minutes of the April 24, 2018 regular meeting. The Board noted a comment regarding the minute provision discussing the Barkers Crossing detention pond. Director Nelson then made a motion to approve the April 24, 2018 minutes, as revised. Director Crane seconded said motion, which passed unanimously.

#### PUBLIC COMMENTS

There were no public comments.

#### QUALIFY NEW DIRECTORS

Mr. Roach noted the requirements and corresponding paperwork to accept and qualify the new Directors, Ronald Julun and Gary Tober. He presented the Bond, Statement of Elected Officer, Affidavit of Current Director, Election Not to Disclose Certain Information, and the Oath of Office to Mr. Julun and Mr. Tober for execution. After verification of proper execution, Director Crane made a motion to accept the paperwork and declare Ronald Julun and Gary Tober to be duly elected

and qualified Directors of the District. Director Nelson seconded said motion, which carried unanimously.

### CONSIDER ELECTION OF OFFICERS TO THE BOARD

Director Crane made a motion to appoint Director Nelson as Vice President of the Board and Director Tober as Assistant Secretary of the Board. Director Love seconded said motion, which carried unanimously.

### AMENDMENT TO DISTRICT REGISTRATION FORM

Mr. Roach advised the Board that an updated District Registration Form will reflect the election of Directors Tober and Julun and the new Board positions and must be filed with the Texas Commission on Environmental Quality ("TCEQ") within thirty (30) days after the changes to the Board have been made. Director Love moved to authorize RMPLLC to prepare said amended District Registration Form and file same with the TCEQ. The motion was seconded by Director Crane and passed unanimously.

### DISCUSSION REGARDING BARKER'S CROSSING DETENTION POND, TRAIL AND FENCE

Mr. Roach noted that RMPLLC sent the joint letter with Barkers Crossing Homeowners Association ("BCHOA") regarding the detention pond and maintenance issues to Ms. Inderia Faucher and Crest Management, but RMPLLC has not yet received a response. Director Crane then presented pictures of the lack of surface maintenance by BCHOA at the pond. Discussion ensued and the Board agreed not to take any action at this time.

### TAX ASSESSOR/COLLECTOR REPORT

Mr. Arce presented the Tax Assessor/Collector Report, a copy of which is attached as Exhibit A. Mr. Arce noted that the District is approximately 98.46% collected and there are no current issues to report. After no questions, and a motion by Director Tober, seconded by Director Love, the Board voted unanimously to approve the Tax Assessor/Collector Report and the checks presented therein.

### DELINQUENT TAX ATTORNEY REPORT

Mr. Roach presented and reviewed the Delinquent Tax Attorney Report, a copy of which is attached hereto as Exhibit B. He noted that there is no action required at this time. Mr. Roach then explained the delinquent tax collection process to the new Directors.

### BOOKKEEPER'S REPORT

Ms. Colondres presented the Bookkeeper's Report, a copy of which is attached hereto as Exhibit C. She noted that there were no unusual expenses, but that there was one lost check and check no. 9092 was stale-dated, cancelled and re-issued. She next noted that she invested in a new Certificate of Deposit at Regions Bank. She then presented signature cards for new Directors Tober

and Julun to execute. After no questions, and a motion by Director Nelson, seconded by Director Crane, the Board voted unanimously to approve the Bookkeeper's Report and the checks presented in the report.

### ENGINEER'S REPORT

Mr. Reed presented the Engineer's Report, a copy of which is attached hereto as Exhibit D. He noted that VVI and RMPLLC have been in communication with the homeowner's association regarding the Morton Road easement but have not obtained any new information.

Mr. Reed next reported on the radium treatment pilot study, noting that the testing at both Water Plants No. 1 and 2 is complete and that VVI is waiting for the report from Bob Johnson & Associates. He noted that once the report is received, VVI will send for technical review by the TCEQ. The Board then briefly discussed the drainage channel near the GO Weiss landfill and the siltation situation. There was no action taken at this time.

### STATUS OF MAINTENANCE BY CHAMPIONS

Mr. Fort presented the Maintenance Report to the Board, a copy of which is attached as Exhibit E. He presented photographs of the channels and stated that there were no issues to report. The Board did not have any questions and noted that Champions has been doing a very good job.

### OPERATIONS AND MAINTENANCE REPORT

Mr. Williams presented the written Operations and Maintenance Report to the Board, a copy which is attached as Exhibit F. He discussed some of the repairs and alerts within the month of May. He also noted that there was a blower failure at the Wastewater Treatment Plant, which has since been repaired.

Mr. Williams next requested approval to replace an isolation valve at Water Plant No. 1 at a cost of \$6,690.48. He also requested approval to replace two (2) isolation valves on the booster pump header at a cost of \$12,539.33. After no questions, Director Crane made a motion to replace all three isolation valves at a combined total cost of \$19,229.81. Director Tober seconded said motion, which carried unanimously.

Mr. Williams next presented a request from the resident at 19410 Hickory Meadow Lane for a late fee in the amount of \$8.62 to be credited back to her account, as she claimed that she did not receive her water bill. Mr. Williams noted that she made the payment as soon as she received the late notice. Mr. Williams then presented a request from the resident at 3302 Barkers Forest Lane for a credit of \$80 due to a late payment. He stated that the resident missed the payment while dealing with a sick parent. Mr. Williams noted that the customer registered for auto payments to ensure that this does not happen again in the future. Upon motion by Director Nelson, seconded by Director Love, the Board voted unanimously to approve the requests from the residents at 19410 Hickory Meadow Lane and 3302 Barkers Forest Lane.

Mr. Williams then presented a list of the twenty-three (23) fire hydrant valves that GUS feel

need to be repaired at a total cost of \$21,990. After discussion, Director Nelson made a motion to approve the repair to the fire hydrant at 3347 Mulberry Hill Drive in the amount of \$2,500. Director Tober seconded said motion, which carried unanimously. Director Nelson then made another motion to approve the fire hydrant repairs at 18507 Bridge Falls Way, 3227 Barkers Forest Lane, and 18707 Appletree Hill Lane, each in the amount of \$3,450. Director Crane seconded said motion, which carried unanimously.

The Board briefly discussed the Consumer Confidence Report (“CCR”) and agreed to add a footnote to the CCR to explain the higher reading on the radium levels. Director Love then made a motion to approve filing and distribution of the CCR, including posting on the website, with the added footnote. Director Julun seconded said motion, which carried unanimously.

#### **REVIEW GENERAL EMERGENCY PLANNING**

The Board deferred discussion on this item.

#### **REVIEW CODE OF ETHICS AND RELATED POLICES**

Mr. Roach reviewed significant provisions of the Code of Ethics and related policies to the new Directors. There were no questions regarding the policies and the Board concurred in this annual review of same.

#### **ATTORNEY'S REPORT**

Mr. Roach stated that there were no additional issues of a legal nature to report at this time. He noted the electronic records system being utilized by the District and gave some explanation to the new Directors on its use.

#### **ADDITIONAL COMMENTS FROM THE PUBLIC**

There were no public comments.

#### **EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE, SECTION 551.071, 551.074, ET. SEQ.**

The Board did not enter into executive session.

#### **DISCUSS PENDING BUSINESS AND MATTERS FOR FUTURE AGENDAS**

There was no discussion on pending business or future agenda matters.

#### **ADJOURNMENT**

There being no further matters to come before the Board, Director Love made a motion to adjourn the meeting. Director Julun seconded said motion, which carried unanimously.

Approved this day 26 of June, 2018.

[SEAL]



A handwritten signature in black ink, appearing to be "M. H. ...", written over a horizontal dashed line.

Secretary,  
Board of Directors

#### LIST OF EXHIBITS

- Exhibit A - Tax Assessors Report
- Exhibit B - Delinquent Tax Attorney Report
- Exhibit C - Bookkeeper's Report
- Exhibit D - Engineer's Report
- Exhibit E - Champion's Report
- Exhibit F - Operator's Report