MINUTES HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 71

August 29, 2012

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 71 (the "District") met in special session, open to the public, on the 29th day of August, 2012, at the District Administration Building, 21437 Clay Road, Katy, Texas, inside the boundaries of the District, and the roll was called of the members of the Board:

Katrina Thornhill

President

Pam Kerr

Vice President

Mary DuBois

Secretary

Garth Freeze

Assistant Vice President

Phillip Smith, Jr.

Assistant Secretary

and all of the above were present.

Also present were Rodney Heisch of Brown & Gay Engineers, Inc. ("Brown & Gay"); Steve Woodring of Regional Water Corporation ("RWC"); John Chandler and Brad Seaback of Seaback Maintenance ("Seaback"); Officer Gann of Harris County Sheriff's Department; Truman Edminster of Edminster, Hinshaw, Russ & Associates, Inc. ("EHRA); Toby Dagenhart, District resident; and Lynne B. Humphries and Jane Miller of Allen Boone Humphries Robinson LLP ("ABHR").

Director Thornhill called the meeting to order at 6:01 p.m.

DEVELOPMENT AND MAINTENANCE OF DISTRICT, DETENTION PONDS, LAKES, PARKS, AND RECREATIONAL FACILITIES

Mr. Woodring reported regarding a request from Harris County (the "County") for a tap at the 6 acre park and for a water tank filling station to water trees in the park and along trails outside the park. He said the District would pay for the tap and supply the water. The Board discussed how to prevent any use other than the 6 acre park or by anyone other than the County and asked the County to estimate the gallons of water that will be used per month.

REPORT FROM SEABACK MAINTENANCE

Mr. Seaback reported that removal of trees discussed at the previous meeting and tree trimming around the perimeter of Bundy Lake is complete and presented an additional charge of \$175 for additional removal and trimming from Bartlett Tree Service.

Mr. Seaback next discussed the duck population at Bundy Lake said he received a more expensive removal proposal from Critter Snatchers. Following discussion, Director Smith moved to authorize Lonestar Animal Recovery to remove all but 25 mallard ducks and a rooster, at \$35 per animal. Director Kerr seconded the motion which passed unanimously.

Mr. Seaback next presented a landscaping portfolio and discussed landscaping layout and colors for the star monument. He reported one of the irrigation controllers has a damaged door and needs to be replaced for a cost at \$150. Upon a motion by Director Thornhill and a second by Director Smith, the Board voted unanimously to authorize Seaback to replace the irrigation controller.

Mr. Seaback reported the pumps in the pond outside the fence are not working properly. Mr. Woodring said there are electrical supply issues there that may be wearing out the pumps and recommended electrical work before the pumps are replaced. Mr. Seaback said Seaback is cleaning trash out of that pond regularly.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.076, TEXAS GOVERNMENT CODE, TO DELIBERATE THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION OF SECURITY PERSONNEL OR DEVICES AND SECURITY REPORT

At 6:32 p.m., the Board met in executive session to deliberate the deployment, or specific occasions for implementation of security personnel or devices. The Board met with Officer Gann.

RE-CONVENE IN OPEN SESSION AND SECURITY REPORT

At 6:50 p.m., the Board reconvened in Open Session. No action was taken as a result of discussion in executive session.

Officer Gann left the meeting.

REVIEW CONTRACTS OF BARTLETT TREE SERVICES AND EDMINSTER, HINSHAW, RUSS AND ASSOCIATES, INC.

Director Kerr requested that Seaback get another arborist. The Board discussed the original scope of work attached to Seaback's Master Services Agreement and requested that Mr. Seaback prepare and bring to the next special meeting an overall plan for service incorporating the items outlined in the original scope of work, and a sample written report.

The Board next discussed EHRA's scope of work, specifically Chris Browne, and concurred to consider at the September regular meeting a Master Services Agreement for EHRA.

The Board also requested recommendations on tree plantings and that Seaback obtain additional tree removal/trimming quotes from other companies.

Mr. Dagenhart, Mr. Chandler, Mr. Seaback and Mr. Edminster left the meeting.

HOLIDAY IN THE PARK

The Board discussed the District's annual Holiday in the Park and concurred to hold the event on December 15, 2012 from 4:00 p.m. to 6:00 p.m. Director Kerr said she would request the Morton Ranch High School choir perform at the event.

OPERATION OF DISTRICT FACILITIES

Mr. Woodring next discussed an appeal regarding a water bill increase and said the customer, Frances Salazar, thinks that a point repair in his yard caused a line break and is requested adjustment to his water bill. After considering the information provided by the customer and the District operator, Director Freeze moved to fill in the sinkhole left by the point repair. Director Thornhill seconded the motion, which passed unanimously.

Mr. Woodring reported a leak repair on Lakeland Gardens for a cost of \$3,100. Upon a motion by Director Thornhill and a second by Director Smith, the Board voted unanimously to authorize the repair for \$3,100.

Director Smith inquired about an email from regarding a customer with a sidewalk issue on Oceanic. Mr. Woodring confirmed that a new water tap was made and the area was redressed afterwards. Director Smith also inquired regarding an email he received regarding customer service complaints by a District resident.

ADMINISTRATION BUILDING

The Board reviewed recommended repairs for the administration building, specifically air conditioning system issues. A copy of Mr. Woodring's repair summary

is attached. Following review and discussion, Director Kerr moved to approve item nos. 1, 3, 4, and 7 for three units, and not for the kitchen unit. Director Dubois seconded the motion which passed unanimously.

WATER SMART ACTIVITIES

There was no additional discussion on this agenda item. ACTION LIST

The Board reviewed and revised the Action List and discussed the status of the items listed.

ENGINEERING MATTERS AND EXTENSION OF TRUNK SANITARY SEWER LINE ON MASON ROAD

Mr. Heisch reported a developer has expressed an interest in commercial property located at the southwest corner of Mason Road and Morton Ranch and said the Morton Ranch Road trunk sanitary sewer will need to be extended to the west side of Mason Road to serve the commercial tracts on the west side. The Board discussed with Mr. Heisch and Ms. Humphries that this cost is a District expense, to be prefinanced by the developer. The Board requested that the developer submit a written request and present development plans to the Board before the Board takes any additional action.

<u>DIRECTORS AND DISTRICT CONSULTANT'S REPORTS ABOUT DISTRICT OPERATIONS</u>

Director Smith requested that Seaback discuss confirming control over mosquito larvae in District ponds.

AGENDA FOR SEPTEMBER REGULAR MEETING

The Board reviewed the draft agenda for the September regular meeting and discussed proposed agenda items. The Board also agreed to hold a special meeting on September 26, 2012 to discuss park and recreation items.

There being no further business to come before the Board, the meeting was adjourned at 8:34 p.m.

Secretary, Board of Directors

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