

## HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 368

Minutes of Meeting  
Thursday, June 25, 2009

The Board of Directors (the "Board") of the Harris County Municipal Utility District No. 368 (the "District") met in regular session, open to the public, at 6:30 p.m. on Thursday, June 25, 2009 at the District's regular meeting place, Graceview Baptist Church, 25510 Tomball Parkway, Tomball, Texas, whereupon the roll was called of the members of the Board to-wit:

Roy P. Lackey	President
Tiffani C. Bishop	Vice President/Investment Officer
Sharon L. Cook	Secretary
Eric Daniel	Treasurer
Allison V. Dunn	Assistant Secretary

All members of the Board were present. Consultants in attendance were: Teague Harris and Matt Carpenter of Pate Engineers, Inc. ("Engineer" or "PATE"); Cathy Branco of Municipal Accounts and Consulting ("Bookkeeper"); Eric Comeau of Bob Leared Interests, Inc. ("Tax Assessor/Collector" or "BLI"); Mike Plunkett of Eagle Water Management Company ("Operator"); Cpl. Mike Swindler, Deputies Steve Barloco, Eric Runyon and Henry Crane of the Harris County Constable's Office, Precinct 4; Andrew Dunn, the District's liaison with Harris County Constable's Office, Precinct 4; and Joshua W. Golden and Marian D. Henderson of Johnson Radcliffe Petrov & Bobbitt PLLC ("Attorney").

The President, after finding that notice of the meeting was posted as required by law and determining that a quorum of the Board was present, called the meeting to order at 7:04 p.m. for such business as may properly come before the Board.

1. **Public Comments.** There were no members of the general public present.
2. **Harris County Constable's Report.** The President first recognized Cpl. Swindler, who presented and reviewed the Harris County Constable's Patrol Report for the month of May, 2009.
3. **Approve Minutes of June 4, 2009 Meeting.** Upon motion by Director Daniel, seconded by Director Cook, after discussion and with all Directors present voting aye, the Board approved the minutes as presented.
4. **General Business.**
  - a. **Emergency operation and repairs to District Facilities.** Mr. Plunkett stated that to the best of his knowledge, there were none.
  - b. **Website.** Ms. Henderson reminded the Operator that the District's Consumer Confidence Report ("CCR") has to be posted on the District's website by July 1<sup>st</sup>. Mr. Plunkett stated that he would send the CCR in pdf for uploading onto the

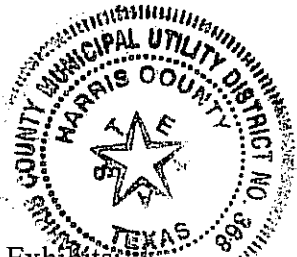
District's website. Discussion then ensued regarding the District's website and web hosting. The Board requested Ms. Henderson to solicit proposals for web hosting.

- c. *Solid Waste Disposal Presentation.* The President next recognized Mr. Andress and Mr. Bensen who made a presentation regarding their start-up solid waste disposal company, a copy of which is attached hereto as Exhibit "A". Mr. Andress and Mr. Bensen stated that they had 75 years experience between them and that their company, Texas Trash, currently services 40,000 homes and has eighteen (18) trucks.
  - d. *Recycling Proposals.* Mr. Andress next directed the Board's attention to the recycling proposal contained in their presentation at the rate of \$2.95 per household for once a week curbside recycling.
5. **Tax Assessor/Collector's Report.** The President next called for the Tax Assessor/Collector's Report, a copy of which is attached hereto as Exhibit "B". Mr. Comeau next proceeded to review the Tax Assessor/Collector's Report with the Board, then the Delinquent Tax Report. Mr. Comeau then directed the Board's attention to two (2) requests to waive penalty and interest from Mr. Carroll and Mrs. Pearson attached to the Tax Assessor/Collector's Report. Discussion ensued and upon motion by Director Cook, seconded by Director Dunn, the Board authorized waiving the penalty and interest on the Carroll account and rejected the request on the Pearson account due to a lack of discretion under the circumstances presented. Upon motion by Director Cook, seconded by Director Lackey, after discussion and with all Directors present voting aye, the Board approved the Tax Assessor/Collector's Report and Delinquent Tax Reports as presented.
  6. **Bookkeeper's Report.** The President next recognized Ms. Branco, who presented and reviewed the Bookkeeper's Report and Investment Report with the Board, a copy of which is attached hereto as Exhibit "C". Ms. Branco first distributed the budget for fiscal year ending May 31, 2010 as adopted at the May meeting, then proceeded to review the Capital Projects Fund with the Board. Ms. Branco then directed the Board's attention to additional checks written at the meeting for AWBD expense reimbursements, fees of office and reimbursement for meeting expenses. Mr. Harris then reviewed the updated Capital Improvements Report, a copy of which is attached hereto as Exhibit "D". Upon motion by Director Cook, seconded by Director Lackey, the Board approved the Bookkeeper's Report and Capital Improvements Report as presented. [Mr. Comeau departed the meeting at this time.]
  7. **Attorneys Report.** The President next recognized Mr. Golden, who presented and reviewed the Attorney's Report, as follows:
    - a. *Renewal of Option to purchase additional acreage adjacent to Water Well #6 site.* Mr. Golden reported that Ms. Lenz will attempt to contact the Jennings.

Upon motion by Director Daniel, seconded by Director Bishop, after discussion and with all Directors present voting aye, the Board accepted the Attorney's Report as presented.

There being no further business to come before the Board, upon motion by Director Daniel, the President adjourned the meeting at 8:30 p.m.

Passed and approved this 30<sup>th</sup> day of July, 2009.



Sharon L Cook  
Secretary, Board of Directors

Exhibits:

- A Texas Trash Proposal
- B Tax Assessor/Collector's Report
- C Bookkeeper's Report
- D Capital Improvements Report