

## THE STATE OF TEXAS

### COUNTY OF HARRIS

On the 20th day of January, 2022 the Crosby Municipal Utility District called a special meeting of the Board of Directors at the office of the District at 103 W. Wahl, Crosby, Texas with the following members present:

Steve Schreiber-	President	Present
Eddie Foster -	Vice President	Present
Donna Davenport-	Treasurer	Present
Wesley Zarsky-	Secretary	Present
Diane Feland-	Asst Secretary	Present

Visitors present: Beth McCormack, Shari Sumner, Chris Wallace, JoAnn Matthiesen, Joe Morrow

Visitors present by teleconference: Teague Harris,

Called to order at 5:31p.m. by Steve Schreiber.

Chris Wallace opened the meeting with a prayer.

#### I. Approve Minutes

Wesley Zarsky made a motion to approve minutes and Diane Feland seconded the motion.

**Motion carried**

#### II. Citizens presentations and requests to address the Board of Directors and take any necessary action granting connections for Utility Commitments and billing adjustments

##### a. Kathy Stasney- regarding billing issues and sewer problems

**N/A-** Kathy Stasney did not show up to meeting.

#### III. New Business Consider and act on Order Calling Maintenance Tax Election for the District and related Notice of Election.

Eddie Foster made a motion to call maintenance tax election and to publish notice of election. Donna Davenport seconded the motion.

**Motion carried**

#### IV. Old Business

##### a. Discuss Utility Development Agreement and Development Financing and Election Agreement with Starlight Homes and take any necessary action. Eddie Foster made a motion to approve Utility Development Agreement with Starlight Homes and Donna Davenport seconded the motion.

**Motion carried**

## V. Tax Assessor/Collector's Report

Wesley Zarsky made a motion to approve Tax Assessor's report and Eddie Foster seconded the motion.

### **Motion carried**

## VI. Attorney's Report

### a. Review bids and award sale of Series 2022 Bonds;

Joe Morrow went over bids and recommends award of sale of Series 2022 Bonds to The Baker Group with an interest rate of 2.175846%.

Wesley Zarsky made a motion and Eddie Foster seconded the motion to award the bid to Baker Group.

### **Motion Carried**

### b. Approve and adopt Bond Order for Series 2022 Bonds;

### c. Approve and execute Federal Tax Certificate and authorize attorneys And Attorney General to date same;

### d. Approve and execute Signature Identification and No-Litigation Certificate and authorize Attorney General and attorney to date same

### e. Adopt General Certificate and related certificates in regard to bond issue;

### f. Approve and execute Bond Registrar, Paying Agent and Transfer Agency Agreement;

### g. Authorize attorneys to finalize the transcript at proceedings for the Series 2022 Bonds and obtain approval of the Attorney General and registration by Comptroller of Series 2022 Bond;

### h. Authorize attorneys or paying agent for the District to receive the Bonds from the Comptroller of Public Accounts;

### i. Authorize District representative to sign and special tax counsel and financial advisor to complete, and file Form 8038-G

### j. Approve agreement with DTC regarding book entry bonds;

### k. Approve agreement with special tax counsel related to sale of Series 2022 Bonds; and

### l. Authorize all actions necessary for the issuance of the Series 2022 Bonds

Joann Matthiesen presented Items b-l to the Board for approval. Wesley Zarsky made a motion and Donna Davenport seconded the motion to approve the attorney's report, Items b-l.

### **Motion carried**

## VII. Engineer's Report

Engineering matters and capital improvement projects, including authorize design, approve plans and specifications, approve easements, authorize advertisement for bids, review bids and approve award of contract, approve pay estimates, time extensions and change orders, and final acceptance, as appropriate, for the following:

### a. Harris County Community Development Grants

- b. TCEQ Bond Application No 8 Series 2021
- c. Rate Order Plumbing Code Matters
- d. Surface Water Treatment Plant Expansion
- e. SWTP East Site: Sludge Disposal Relocation
- f. Replace 6" Water Line with 12" Water Line in FM 2100 (Kennings to Church)
- g. 12" Water Line Loop to Pecan Estates
- h. Phase 4 Sanitary Sewer Rehabilitation
- i. Future Lift Station and Force Main to serve US 90 and Krenek
- j. Tx Dot FM 2100 Relocation of 12" Sanitary Sewer north of Hare Rd
- k. Lift Station Upgrades
- l. Pecan Estates Force Main and Gravity Sewer, Phase 2
- m. WWTP Notice of Intent and Stormwater General Permit
- n. Developments in the District
- o. Requests for Service Commitments, Plan Reviews, and Annexations
- p. Agreement regarding 15.1 acre tract Water line Extension
- q. Annexation Feasibility Report for 276.5 Acre Ashton Wood Tract including Defined Area creation for developer reimbursement, extension of offsite water and sanitary sewer lines and offsite drainage channel outfall.

Teague Harris went over his report and recommends payment to Underground Construction Solutions of Pay Application No.4 in the amount of \$235,090.46.

A motion was made by Wesley Zarsky and seconded by Diane Feland to approve payment to Underground Construction Solutions of Pay Application No.4 in the amount of \$235,090.46.

**Motion carried**

Teague Harris recommends approval and execution of Change Order No.2 increase to the contract of \$5,289.20.

A motion was made to approve and execute Change Order No.2 by Wesley Zarsky and seconded by Diane Feland.

**Motion carried**

Engineer recommends Board concurrence with the developer engineer's recommendation for payment by Murff Castle Estates to Environment Allies of Pay Estimate No. 3 in the amount of \$159,473.44

A motion was made by Wesley Zarsky and seconded by Diane Feland for payment by Murff Castle Estates to Environmental Allies of Pay Estimate No.3. in the amount of \$159,473.44

**Motion carried**

VIII. Office Manager's Report

N/A

IX. Utility Manager's Report

N/A

X. Treasurer's Report

**a. Approve Financial Statements**

Wesley Zarsky made a motion and Eddie Foster seconded the motion to approve the Financial Statements.

**Motion carried**

**b. Approve customer write offs**

A motion was made by Wesley Zarsky and seconded by Eddie Foster to table KMCO write offs.

**Motion carried.**

**c. Approve quarterly investment reports**

Wesley Zarsky made a motion and Eddie Foster seconded the motion to approve the quarterly investment report.

**Motion carried**

- XI. Recess into Executive Session according to the Texas Government Code Section 551.074(a) regarding personnel Matters, Section 551.071 consultation with attorney regarding pending or contemplated litigation and 551.076 regarding security.

**N/A**

- XII. Reconvene into Regular Session

**N/A**

- XIII. Consider and take necessary action on the result of the Executive Session.

**N/A**

- XIV. Adjournment

A motion was made by Wesley Zarsky and seconded by Diane Feland to adjourn at 6:24pm.

**Motion carried**

Attest: SS

  
Wesley Zarsky, Secretary

  
Steve Schreiber, President