

# MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 8

## MINUTES OF SPECIAL MEETING OF BOARD OF DIRECTORS

NOVEMBER 11, 2010

The Board of Directors (the "Board" or "Directors") of Montgomery County Municipal Utility District No. 8 (the "District" or "MCMUD 8") met in special session, jointly with Montgomery County Municipal Utility District No. 9 ("MCMUD 9"), open to the public, on Thursday, November 11, 2010, at 9:00 a.m., at the Walden Yacht & Country Club, 13101 Melville Drive, Montgomery, Texas 77356, a designated meeting place located inside the boundaries of the District, and the roll was called of the duly constituted officers and members of the Board, to-wit:

Roy McCoy	President
Robert Leasure	Vice President
Daniel L. Davis	Assistant Vice President
Arch Payne	Secretary
Claude D. (Dan) Fryman	Assistant Secretary

All members of the Board were present. Also attending were Linda Wilson, Ernie Harris, Judy Sanders, Phil Griffin and Jerry Nispel, Board of Directors of MCMUD 9; Carolyn Ahrens of Booth, Ahrens & Werkenthin, P.C.; Mike Irlbeck of NRS Consulting Engineers ("NRS"); Scott Sustman, General Manager of the Walden Community Improvement Association ("WCIA"); Clark S. Lord, attorney for MCMUD 9; and Ross J. Radcliffe and Elliot M. Barner of Johnson Radcliffe Petrov & Bobbitt PLLC ("District's Attorney").

The President, after finding that the 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 and declared it open for such business as may come before it.

1. Public Comment. The President first opened the meeting to public comment.
  - a. Mr. Sustman indicated that several people have inquired whether the town hall presentation can be published on the District's website. The Board responded that upon advice by the District's legal counsel, the District would not be publishing the presentation documents at this time.
  - b. Mr. Sustman also reported that the WCIA annual meeting will be held on January 22, 2011, and asked if the Districts would be willing to provide an update regarding the groundwater project. It was the consensus of the Board that the Districts would have someone present an update on the MCMUD 8/MCMUD 9 Groundwater Reduction Plan at such time.

As no further public comment was offered, the President directed the Board to proceed with the agenda.

2. Bed and Banks Permit Issues.

- a. Mr. Irlbeck reviewed his presentation made recently to the San Jacinto River Authority ("SJRA") Board of Directors. Mr. Irlbeck indicated that the next step will be for the District's representatives to meet with the SJRA staff and members of the SJRA Advisory Committee to resolve any issues in obtaining a Bed and Banks permit for the Districts', as well as for the City of Huntsville's, return flows.

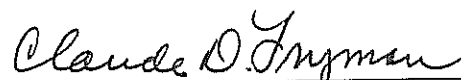
3. Executive Session. Pursuant to Chapter 551 of the Texas Government Code, Subchapter D, of the Open Meetings Act, the President called the executive session to order at 9:44 a.m. to discuss matters within the attorney/client privilege regarding the Huntsville Bed and Banks permit, and strategy and negotiations with the Lone Star Groundwater Conservation District ("LSGCD"). Present for the executive session were the Board of Directors of MCMUD 8; the Board of Directors of MCMUD 9; Ms. Ahrens, Mr. Irlbeck, Mr. Lord, Mr. Barner and Mr. Radcliffe.

As of 10:41 a.m., the President declared the Executive Session was ended and the public session was resumed.

4. Director McCoy reported that the United States Geological Service ("USGS") survey was completed and presented to the LSGCD board. There was no report regarding the Jasper Aquifer due to the age of the Upper Jasper Aquifer, apparently due to the inability to identify any of the indicators used by the USGS. Director McCoy indicated that the final report is being reviewed.

**THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD**, the meeting was adjourned.

**PASSED AND APPROVED** this the 8th day of December, 2010.



Secretary, Board of Directors