

**MINUTES OF THE MEETING  
OF THE BOARD OF DIRECTORS**

THE STATE OF TEXAS §  
COUNTY OF HENDERSON §  
LAKE VIEW MANAGEMENT AND DEVELOPMENT DISTRICT §

The Board of Directors (the "Board") of Lake View Management and Development District (the "District") met in special session, by audio conference, open to the public, on Thursday, August 26, 2021 at 2:00 pm.

Mr. Ross Martin, General and Bond Counsel for the District, announced that the Meeting would be conducted by audio conference to mitigate the spread of COVID-19. Mr. Martin confirmed that Meeting participants would observe guidance provided by the Texas Attorney General's office to suspend certain requirements of the Texas Open Meetings Act. Mr. Martin next stated that (i) Notice of the Meeting was given in accordance with Chapter 551, Government Code, and Chapter 49, Texas Water Code, as amended by the Governor's order and Attorney General's guidance; (ii) the Meeting was being conducted in a transparent and accessible manner; (iii) Meeting packets were distributed to all participants, and made available to the public; and (iv) the Meeting would be recorded, and available for electronic distribution upon request.

The roll was called of the members of the Board to-wit:

Thomas Burleson	President
Neal Sleeper	Vice President
Alan Naul	Secretary
Christopher Kelsey	Director/Assistant Secretary
Gary Reaves	Director

All members of the Board were present at the commencement of the meeting, with the exception of Director Sleeper, and Director Naul. Directors present voted on all matters that came before the Board. Also present were: Ms. Diana Moog of Hampstead Holdings; Mr. Guymon Phillips, P.E. of Team Phillips, Inc., the District's engineer; Mr. Greg Dick, General Manager of Long Cove; Ms. Kerry Tovery of Dye & Tovery LLC, the District's bookkeeper; and Mr. Ross Martin, attorney; and Ms. Genny Lutz, paralegal of Winstead PC.

1. The meeting was called to order at 2:02 pm., and evidence was presented that public notice of such meeting had been given as required by law.

2. The Board opened the meeting to public comments. Hearing none, Director Reaves closed the public comment session. Director Kelsey seconded said motion, which carried unanimously.

3. Consideration was next given to a public hearing regarding District's proposed 2021 tax rate. Upon motion duly made, seconded and unanimously carried, the Board opened the public hearing. Hearing no comments from property owners or members of the public, Director Reaves moved to close the public hearing regarding the District's proposed 2021 tax rate. Director Kelsey seconded said motion, which carried unanimously.

4. Consideration was next given to an Order Setting Tax Rate for 2021. Mr. Martin presented to and reviewed with the Board an Order Setting Tax Rate for 2021, a copy of which is attached hereto as Exhibit "A". After discussion on the matter, Director Reaves moved that the Board (i) levy a 2021 operations and maintenance tax rate of \$0.3415 per \$100 assessed valuation, debt service tax rate of \$0.6085 per \$100 assessed valuation for a total tax rate of \$0.9500 per \$100 assessed valuation; and (ii) adopt an Order Setting Tax Rate for 2021. Director Kelsey seconded said motion, which carried unanimously.

5. Consideration was next given to the review and approval of the Minutes of the Board of Directors meeting held on July 29, 2021. Following a discussion, Director Reaves moved to approve the Minutes, as transcribed. Director Kelsey said motion, which carried unanimously.

6. Consideration was next given to the developer/general manager report. No formal report was heard.

7. Consideration was next given to the engineer's report, a copy of which is attached hereto as Exhibit "B". Mr. Phillips next recommended that the Board authorize the following change orders from Woodlake Outdoors for completion of crosswalks: (i) Change Order No. 1 - (-\$8,598.30); and (ii) Change Order No. 2 (-\$5,439.79). Mr. Phillips noted that six (6) of the eight (8) crosswalks have been completed; however two have uncertain locations, and would therefore recommend approval of the close out of this project. Following a discussion, Director Reaves moved to approve both Change Orders, and confirm close out of the project. Director Kelsey seconded said motion, which carried unanimously.

Next, Mr. Phillips requested authorization to advertise for excavation of Southwest Harbor Cove, noting subsequent installation of storm drainage outfalls throughout the Southwest Harbor Cove area. Following a discussion, Director Reaves moved to authorize same. Director Kelsey seconded said motion, which carried unanimously.

Finally, Mr. Phillips requested revisions to the Master Service Agreement in connection with an indefinite delivery agreement and two-year term contract with 5B Construction, LLC. Mr. Phillips noted that additional authorization is needed to provide other services related to new capital improvements with a "not to exceed amount" for (i) clearing, grading and erosion control (\$2,235,000.00); (ii) trails (\$530,000.00); and (iii) mining and quarry (\$1,100,000.00). Mr. Phillips noted that Team Phillips has found that on prior projects, it is impracticable to expect multiple final bids on projects in the Long Cove location due to its remote nature, and the current construction market in Texas. Mr. Phillips further stated that based on the bid sheets received from other East Texas or Metroplex contractors, 5B Construction, LLC rates are on average 40% lower, and their mining and hauling rates for iron ore are at least 50% lower than comparable contractors, who will likely not submit a final bid on the projects, or be able to appropriately staff

the project in this location. Additionally, Mr. Phillips noted that 5B Construction, LLC has the proven ability to staff the project on a permanent as-needed basis, which is prime consideration since the Covid-19 pandemic, and robust construction market has caused most contractors to be short of personnel. Finally, Mr. Phillips noted that 5B Construction LLC qualify is consistent with the Long Cove standards. Mr. Dick responded to questions regarding use of materials following excavation. Mr. Martin confirmed authorization provided under Texas Water Code Section 49.278(a)(4). Following a discussion, Director Reaves moved that the Board authorize and approve changes to the Indefinite Delivery Agreement with 5B Construction, LLC as recommended by the District's engineer. Director Kelsey seconded said motion, which carried unanimously.

8. Consideration was next given to the Operator's report. In the absence of a formal report, no action was taken by the Board.

9. Consideration was next given to the approval of a Bookkeeping Report, a copy of which is attached hereto as Exhibit "C". Ms. Tovery reviewed the report with the Board. Following a discussion, Director Reaves moved that the Board (i) approve the Bookkeeping Report; and (ii) authorize the payments listed thereon. Director Kelsey seconded said motion, which carried unanimously.

10. There being no further business to conduct, Director Reaves moved that the meeting be adjourned, which motion was seconded by Director Kelsey and unanimously approved. The Board adjourned at 3:42 p.m.

APPROVED AND ADOPTED this 30th day of September, 2021.



Secretary