FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 37

MINUTES OF MEETING OF BOARD OF DIRECTORS

JUNE 17, 2020

The Board of Directors (the "Board" or the "Directors") of Fort Bend County Municipal Utility District No. 37 (the "District") met in regular session at 7:00 p.m., at 1301 Misty Bend, Katy, Texas 77494, on Wednesday, June 17, 2020, pursuant to notice of said meeting posted in accordance with Chapter 551 of the Texas Government Code. The roll was called of the members of the Board, to-wit:

Stephen Berckenhoff President

Rudy Ammer Vice President/Investment Officer/Co-Tax Compliance Officer

Larry W. Davis Secretary

Kenneth L. Comeaux Assistant Secretary

Greg Murray Treasurer

All members of the Board were present, with the exception of Directors Davis, thus constituting a quorum. Also attending either in person or by Teleconference were Kim Shelnutt of Myrtle Cruz, Inc. (the "Bookkeeper" or "MCI"), bookkeeper for the District; David Ferrier of Equi-Tax, Inc. (the "Tax Assessor/Collector" or "Equi-Tax"), tax assessor/collector for the District; Bob Ring of Inframark (the "Operator" or "Inframark"), operator for the District; and Zachary A. Petrov of Johnson Petrov LLP (the "Attorney" or "JP"), attorneys for the District and Ms. Alexis Carrico.

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 regularly come before it.

Public Comment.

Ms. Carrico inquired about filling in the area between the term as well as the new drainage pipe into the lake near the new apartments.

- 2. <u>Approval of Minutes</u>. The Board next considered approval of the regular meeting minutes of May 20, 2020, which was previously distributed to the Board. Upon motion by Director Ammer, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board approved the minutes as presented.
- 3. <u>Bookkeeper's Report and Investment Report.</u> Ms. Shelnutt distributed the Bookkeeper's Report and Investment Report, copies of which are attached hereto as <u>Exhibit "A"</u>. She reviewed the written report and responded to questions. Discussion ensued.
- a. Ms. Shelnutt first reviewed the written report and responded to questions from the Board. The Board also requested that Johnson Petrov work with the Bookkeeper regarding the breakdown of the well rehab bill to invoice private facilities. Next, the Board discussed the invoices from North Fort Bend Regional Water Authority and requested Johnson Petrov request a waiver of the import and pumpage fees, since the District is paying the City of Katy and paying the Authority would be double paying.

Director Comeaux joins the meeting at this time.

b. Ms. Shelnutt next reviewed current and year-to-date revenue and expenditures against the District's budget for the fiscal year ending August 31, 2020.

Upon motion by Director Murray, seconded by Director Ammer, after full discussion and with all Directors present voting aye, the Board approved the Bookkeeper's Report and Investment Report, as presented, authorized payment of checks numbered 1857 through 1884 from the Operating Account.

- 4. <u>Tax Assessor/Collector Report.</u> The Tax Assessor/Collector's Report was presented by Mr. Ferrier, a copy of which is attached hereto as <u>Exhibit "B"</u>.
- a. Mr. Ferrier reviewed with the Board the Tax Assessor/Collector's Report. He also responded to questions from the Board.
- b. Mr. Ferrier next reported that 97.9% of the 2019 taxes had been collected as of May 31, 2020.
- c. Mr. Ferrier then presented and reviewed the Delinquent Tax Attorney Report prepared by The Thornhill Law Firm, P.C., a copy of which is attached hereto as Exhibit "C". He also responded to questions from the Board.

Upon motion by Director Murray, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board approved the Tax Assessor/Collector's Report, as presented and authorized payment of check numbers 2269 thru 2273 from the Tax Account and the Delinquent Tax Attorney Report.

- 5. Operations Report. Next, Mr. Ring presented the Operations Report, a copy of which is attached hereto as Exhibit "D".
- a. Mr. Ring reviewed the current operations in the District with the Board and answered questions. Next, Mr. Ring also reported there were twelve (12) delinquent accounts.

Upon motion by Director Ammer, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board approved the Operations Report.

6. <u>Engineering Report</u>. No updated at this time as Mr. Leyendecker was not present at tonight's Board meeting.

7. Old Business.

a. Update on Fire Protection Services with the City of Katy (the "City").

Mr. Petrov distributed a letter from the City of Katy to other neighboring MUDS regarding fire services. Mr. Petrov stated that Alan had a conversation with the City's attorney, Art Pertile, and he recommended that the District make an initial draft of a potential agreement between the District and the City. Mr. Petrov distributed an initial draft for the Board's review and comment. Director Berckenhoff requested other Directors to take some time to review the drafted agreement and send Alan comments within the next ten (10) days.

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

SIGNED ASSICIO APPROVED this 15th day of July, 2020.

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Secretary, Board of Directors

EXHIBITS:

A - Bookkeeper Report

B - Tax Assessor/Collector's Report

C - Delinquent Tax Attorney Report

D - Operations Report