

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 37

MINUTES OF MEETING OF BOARD OF DIRECTORS

JUNE 16, 2021

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., via Teleconference on Wednesday, June 16, 2021, 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:

Rudy Ammer	President
Larry W. Davis	Vice President
Kenneth L. Comeaux	Secretary
Greg Murray	Assistant Secretary
Stephen Berckenhoff	Treasurer

All members of the Board were present, with the exception of Director Murray, thus constituting a quorum. Also attending either in person or by Teleconference were Kim Shelnett 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; Jon Strange P.E. of JNS Engineers, engineer for the District ("Engineer"); Ray Young, P.E. of Water Engineers, Inc. (Project Engineer); Alan P. Petrov of Johnson Petrov LLP (the "Attorney" or "JP"), attorneys for the District; Allen Perez with the Westheimer Parkway Project ("Developer"); Joshua Garcia of USA Waste Solutions ("USA"); and John Seifert (well consultant).

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.

1. Public Comment.

a. There being no public comment, the President directed the Board to proceed with the agenda.

2. Approval of Minutes. The Board next considered approval of the meeting minutes of May 19, 2021, which was previously distributed to the Board.

Upon motion by Director Berckenhoff, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board approved the minutes as presented.

3. Bookkeeper's Report and Investment Report. Ms. Shelnett previously distributed the Bookkeeper's Report and Investment Report, copies of which are attached hereto as Exhibit "A". She reviewed the written report and responded to questions. Discussion ensued.

a. Ms. Shelnutt next reviewed current and year-to-date revenue and expenditures against the District's budget for the fiscal year ending August 31, 2021.

b. Next, Ms. Shelnutt reviewed the Texas Unclaimed Property Report. Ms. Shelnutt noted that the report is required by the State of Texas so that property, such as a customer deposit, that remains unclaimed for three (3) years after an account is closed is turned over to the State.

Upon motion by Director Comeaux, seconded by Director Berckenhoff, after full discussion and with all Directors present voting aye, the Board approved 1) the Bookkeeper's Report and Investment Report, as presented, 2) authorized payment of checks numbered 2145 through 2173 from the Operating Account and 3) authorized the Bookkeeper to file the Unclaimed Property Report.

4. Tax Assessor/Collector Report. The Tax Assessor/Collector's Report was presented by Mr. Ferrier, a copy of which is attached hereto as Exhibit "B".

a. Mr. Ferrier reviewed with the Board the Tax Assessor/Collector's Report. She also responded to questions from the Board.

b. Mr. Ferrier next reported that 91.3% of the 2020 taxes had been collected as of May 31, 2021. Mr. Ferrier also reviewed with the Board a list of candidates for Write-Off from the Delinquent Tax Roll.

c. The Board reviewed the Delinquent Tax Collection Report attached hereto as Exhibit "B-1", prepared by Thornhill Law Firm.

Upon motion by Director Comeaux, seconded by Director Berckenhoff, after full discussion and with all Directors present voting aye, the Board 1) approved the Tax Assessor/Collector's Report, as presented and 2) authorized payment of check numbers 2325 thru 2326 from the Tax Account; and 3) approved the Delinquent Tax Attorney Report.

5. Operations Report. Mr. Ring presented the Operations Report, a copy of which is attached hereto as Exhibit "C".

a. Mr. Ring reviewed the current operations in the District with the Board and answered questions. Mr. Ring also reported there was one (1) collection account and sixteen (16) delinquent accounts scheduled for termination due to non-payment of water and sewer bills. No members of the public wished to comment on termination of water for non-payment of the water and sewer bills.

b. Mr. Ring reported on the Westside water billing and stated that after reviewing the additional billing information and comparing that to the customer meter readings that it appeared that the actual billings were correct and that the actual water used was billed to Westside.

Upon motion by Director Comeaux, seconded by Director Berckenhoff, after full discussion and with all Directors present voting aye, the Board 1) approved the Operations Report; and 2) authorized transferring one (1) collection account to collections and the termination of service to sixteen (16) delinquent accounts pursuant to the District's Rate Order.

6. Engineer's Report. Mr. Strange presented the Engineer's Report, a copy of which is attached hereto as Exhibit "D".

a. Mr. Strange reported that he has reviewed the proposal to the WWTP by Water Engineers dated June 7, 2021.

b. Mr. Strange presented and reviewed the invoice for work performed on Water Well No. 1 by Weisinger, Inc. in the amount of \$58,660.00, a copy of which is attached to the Engineer's Report. Mr. Strange recommended the Board approve payment to Weisinger, Inc.

c.

Upon motion by Director Comeaux, seconded by Director Berckenhoff, after full discussion and with all Directors present voting aye, the Board approved the both Engineer's Reports, including authorize filing the TPDES Permit Major Amendment Application with the TCEQ.

7. City of Katy Emergency Services Monthly Stat Report. The Board reviewed the May Stat Report. No action was taken.

8. New Business/Annual Agenda Items.

a. WWTP Improvements Design Proposal (the "Proposal") prepared by Water Engineers, Inc. Mr. Young presented and reviewed the Proposal, a copy of which is attached hereto as Exhibit "E". Discussion ensued.

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

b. Pin Oak Village HOA Facility Release and Indemnity. There was no Board action taken at this time.

c. Change of Trash Collection Provider. Director Ammer stated that WCA did not pick up its recycle bins, and USA made additional trips to pick them up. Discussion ensued.

Upon motion by Director Berckenhoff, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board will deduct a portion from WCA's final bill.

d. County Assistance District. There was no Board action taken at this time.

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

SIGNED, PASSED and APPROVED this 21st day of July, 2021.

[DISTRICT CLERK]




Secretary, Board of Directors

EXHIBITS:

- A - Bookkeeper's Report**
- B - Tax Assessor/Collector's Report**
- B-1- Delinquent Tax Attorney Report**
- C - Operations Report**
- D - Engineer's Report**
- E - WWTP Improvements Design Proposal**