

# **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 37**

## **MINUTES OF MEETING OF BOARD OF DIRECTORS**

**JUNE 21, 2023**

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 21, 2023, pursuant to notice of said meeting posted in accordance with Chapter 551 of the Texas Government Code. The roll was called, the members of the Board, to-wit:

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

All members of the Board were present, with the exception of Director Berckenhoff, thus constituting a quorum. Also attending were Kim Shelnett of Myrtle Cruz, Inc. (the "Bookkeeper" or "MCI"), bookkeeper for the District; Lucian Landreville of Equi-Tax, Inc. (the "Tax Assessor/Collector" or "Equi-Tax"), tax assessor/collector for the District; Randy Davila of Inframark (the "Operator" or "Inframark"), operator for the District; Jon Strange P.E. of JNS Engineers, engineer for the District ("Engineer"); and Joseph "Will" Petrov of Johnson Petrov LLP (the "Attorney" or "JP"), attorneys for the District.

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.** 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 regular meeting minutes of May 17, 2023, which were previously distributed to the Board.

Upon motion by Director Gilliland, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board approved regular meeting minutes of May 17, 2023 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". Ms. Shelnett reviewed the written report and responded to questions. Discussion ensued.

Upon motion by Director Gilliland, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board approved moving \$246,694.21 from Cadence Bank to the TexPool account.

Upon motion by Director Gilliland, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board approved 1) the Bookkeeper's Report and Investment Report, as presented and 2) authorized payment of checks from the Operating Account and Central Bank.

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

a. Mr. Landreville reviewed with the Board the Tax Assessor/Collector's Report. Mr. Landreville also responded to questions from the Board. He reported that 98.5% of the 2022 taxes had been collected as of May 31, 2023.

Upon motion by Director Murray, seconded by Director Gilliland, 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 2417 thru 2422 from the Tax Account.

b. Delinquent Tax Collection Report. There was no report presented at tonight's meeting.

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

a. Mr. Davila next reviewed the current operations in the District with the Board and answered questions. Mr. Davila noted there were no delinquent accounts for the month of May. He also presented several quotes for installation of a chain link fence along the resident's side at Water Plant No. 1, copies of which are attached to the Operations Report.

Upon motion by Director Murray, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board 1) approved the quote from MD Fence Co. in the amount of \$6,775.00 for the installation of a chain link fence along the resident's side at Water Plant No. 1.

Upon motion by Director Gilliland, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board 1) approved the Operations Report; and 2) one (1) collection account totaling \$117.00, 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 reviewed the Engineer's Report with the Board and responded to questions.

b. Update on service request by Developers, if any including annexation requests.

The Board discussed allowing KMK to outfall into the District's ditch.

Upon motion by Director Gilliland, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board approved allowing KMK to outfall into the District's ditch.

c. Update on Engineering/Construction projects, if any.

Discussion regarding a letter to Simon regarding desilting ditch.

Upon motion by Director Gilliland, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board authorized the Johnson Petrov to send a letter to Simon to desilt the ditch.

Next, Mr. Strange presented the Engineer Report of Values for water/wastewater, a copy of which is attached to the Engineer's Report.

Upon motion by Director Comeaux, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board approved the Engineer Report of Values for Water/Wastewater.

d. Update and possible action on other projects within the District. None at this time.

7. Request for Service for 24803 Saddle Spur Lane. The District reviewed and discussed the request for service for 24803 Saddle Spur Lane, a copy of which is attached hereto as Exhibit "E."

Upon motion by Director Comeaux, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board declined the Request for Service to 24803 Saddle Spur Lane.

8. City of Katy Emergency Services Monthly Stat Report. The Board reviewed the Stat Report, a copy of which is attached hereto as Exhibit "F". No action was taken.

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

**SIGNED, PASSED and APPROVED** this 19th day of July, 2023.



  
Secretary, Board of Directors

**EXHIBITS:**

- A - Bookkeeper's Report
- B - Tax Assessor-Collector Report
- C - Operations Report
- D - Engineer's Report
- E - Request for Service – 24803 Saddle Spur Lane
- F - City of Katy Stat Report