

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

**MINUTES OF MEETING OF BOARD OF DIRECTORS**

**OCTOBER 17, 2018**

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, October 17, 2018, 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:

Kenneth L. Comeaux	President/Co-Tax Compliance Officer
Stephen Berckenhoff	Vice President
David A. Carp	Secretary
Rudy Ammer	Treasurer /Co-Tax Compliance Officer
Larry W. Davis	Assistant Secretary /Investment Officer

All members of the Board were present, thus constituting a quorum. Also attending all or portions of the meeting were: Kim Shelnett of Myrtle Cruz, Inc. (the "Bookkeeper" or "MCI"), bookkeeper for the District; Pat Hall 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; David Leyendecker of Clay & Leyendecker, Inc. (the "Engineer"); Alan P. Petrov of Johnson Petrov LLP (the "Attorney" or "JP"), attorneys for the District; Chris Thornhill of The Thornhill Law Firm (the "DTA" or "Thornhill") delinquent tax attorney for the District; as well as David Monk with the Westheimer Parkway Project ("Developer"); and Alexis Carrico and two (2) members of the HOA.

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.

Mr. Monk updated the Board on the KMK Development Project.

Ms. Carrico asked about the status of the letter to the Katy Mills, to which the Board responded that the letter had been drafted and was being reviewed before being sent.

Next, the members of the HOA discussed the issue of the trees on Westheimer and informed the Board that they will be fertilizing the trees and are monitoring them with the assistance of their landscaper.

2. Approval of Minutes. The Board then considered approval of the September 19, 2018 regular meeting minutes. Upon motion by Director Berckenhoff, seconded by Director Carp, after full discussion and with all Directors present voting aye, the Board approved the minutes.

f. The Board next considered appointing a Tax Assessor/Collector for collection of 2018 taxes. Upon motion by Director Berckenhoff, seconded by Director Carp, after full discussion and with all Directors present voting aye, the Board adopted the Order Appointing Tax Assessor/Collector, appointing Equi-Tax, Inc. as Tax Assessor/Collector for the District, a copy of which is attached hereto as Exhibit "B-4".

g. The Board next consider adopting the Resolution Concerning Tax Collection Procedures. Upon motion by Director Davis, seconded by Director Berckenhoff, after full discussion and with all Directors present voting aye, the Board voted to adopt the Resolution Concerning Tax Collection Procedures, thereby rejecting the tax payment options. A copy of the resolution is attached hereto as Exhibit "B-5".

h. Mr. Thornhill reviewed the Delinquent Monthly Report for October with the Board. He also reported that Castle Comm. is disputing the amount owed. The Board directed Mr. Thornhill to proceed with the collection of the delinquent accounts.

Upon motion by Director Davis, seconded by Director Berckenhoff, 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 2192 thru 2194 from the Tax Account and authorized termination letters be sent out on the delinquent accounts.

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

Mr. Ring reviewed the written report and responded to questions from the Board.

The Board tabled discussion of the Rate Order until next month.

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

6. Engineering Report. Mr. Leyendecker updated the Board on the developments in with District. He stated he has been speaking to both groups that are requesting annexations. He then responded to questions.

Next, Mr. Leyendecker discussed the new sewer plant permit. Discussion ensued. Upon motion by Director Berckenhoff seconded by Director Davis, after full discussion and with all Directors present voting aye, the Board authorized the engineer to start on the new sewer plant permit.

Upon motion by Director Davis seconded by Director Ammer, after full discussion and with all Directors present voting aye, the Board approved the Engineer's oral report.

7. Old Business.

a. Status of Maintenance of the Katy Mills berm and Katy Mills Management District. No updates at this time beyond the discussion previously concerning the letter being sent regarding drainage.

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

SIGNED, PASSED and APPROVED this 20th day of November, 2018.



*Nasir*  
Secretary, Board of Directors

EXHIBITS:

- A - Bookkeeper's Report
- B - Tax Assessor/Collector's Report
- B-1 Notice of Public Hearing on Tax Rate and Affidavit of Publication
- B-2- Order Setting Rate and Levying Tax for 2018
- B-3- Amended and Restated District Information Form
- B-4- Order Appointing a Tax Assessor/Collector
- B-5- Resolution Concerning Tax Collection Procedures
- C - Operations Report