

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

**MINUTES OF MEETING OF BOARD OF DIRECTORS**

**MARCH 17, 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, March 17, 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:

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

All members of the Board were present, with the exception of Director Comeaux, 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; Paul Radenheimer, Joe Birkmire and Daryl Rapp, residents of the District, Joshua Garcia with USA Waste Solutions; Kevin Atkins with Texas Pride Disposal; Christie Leighton with Best Trash; Anne Wilhite with WCA/Municipal Sales Representative.

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) The President read an email from Cathi Fogarti, a resident of the District regarding garbage service.

b) Next, Joe Birkmire and Daryl Rapp questioned the Board concerning their decision of regarding damage to the District's line, stating that the pipe was not damaged by an excavator.

c) Paul Radenheimer approached the Board concerning driveway damage from concrete that was faulty. The Board advised the customer that the panels that were not poured correctly would be replaced.

2. Consideration of Proposal for Garbage Collection Services. Next, the Board reviewed and discussed proposals submitted by several vendors. After review of the proposals and discussion of same, upon motion by Director Ammer and seconded by Director Murray, with all Directors voting aye, the Board accepted the proposal of USA Waste Solutions LLC for a five

(5) year term, authorized the District's attorney to prepare a contract for same and to give notice of termination to WCA.

3. Approval of Minutes. The Board next considered approval of the meeting minutes of February 17, 2021 and February 24, 2021, which were previously distributed to the Board. Upon motion by Director Davis, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board approved the minutes as presented.

4. Bookkeeper's Report and Investment Report. Ms. Shelnutt 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 first reviewed the written report and responded to questions from the Board.

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, 2021.

Upon motion by Director Ammer, seconded by Director Murray, 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 2084 through 2103 from the Operating Account.

5. 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. He also responded to questions from the Board.

b. Mr. Ferrier next reported that 87.2% of the 2020 taxes had been collected as of February 28, 2021.

c. There was nothing to Delinquent Tax Collection Report to present.

Upon motion by Director Davis, seconded by Director Murray, 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 2310 thru 2312 from the Tax Account.

6. Operations Report. Next, 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. The Board discussed the Leak Adjustment Policy as proposed by North Fort Bend Water Authority ("NFBWA"). This item was tabled for further discussion.

b. Next, Mr. Ring also reported there were fifteen (15) 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.

The Board then discussed the Westside water billing issue as a result of under reading by a faulty the water meter. Mr. Ring stated that he will provide the information for the letter to Westside water to the District's Attorney before the next meeting.

Upon motion by Director Ammer, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board 1) approved the Operations Report; and 2) authorized termination of service to fifteen (15) delinquent accounts pursuant to the District's Rate Order.

7. Engineer's Report.

a. The Board discussed the JNS Engineers contract. The Board also requested Johnson Petrov send a follow-up letter to Clay & Leyendecker regarding transitioning the District's files to JNS Engineers.

Upon motion by Director Murray, seconded by Director Ammer, after full discussion and with all Directors present voting aye, the Board accepted JNS Engineers contract as the District's Engineer.

b. Next, the Board discussed the Water Engineers, Inc. proposals for the wastewater treatment plant TCEQ permit renewal and plant evaluation projects.

Upon motion by Director Ammer, seconded by Director Davis, after full discussion and with all Directors present voting aye, the Board accepted the Water Engineers, Inc. proposals for the wastewater treatment plant TCEQ permit renewal and plant evaluation projects.

8. City of Katy Emergency Services Monthly Stat Report. The Board reviewed the February Stat Report.

9. NFBWA Resolution Adopting Policy and Procedures for February 2021 Freeze Event Fee Adjustment Credits. Mr. Petrov informed the Board that the NFBWA had adopted a policy to adjust bills affected by leaks resulting from the winter freeze contingent upon District's adopting the same policy. This item was tabled until the April Board meeting to see if any customers actually made such a request.

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

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

[DISTRICT SEAL]

  
Secretary, Board of Directors

EXHIBITS:

- A - Bookkeeper's Report
- B - Tax Assessor/Collector's Report
- C - Operations Report

