

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

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

**NOVEMBER 20, 2019**

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, November 20, 2019, 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
David A. Carp	Vice President
Rudy Ammer	Secretary/Investment Officer/Co-Tax Compliance Officer
Larry W. Davis	Treasurer
Kenneth L. Comeaux	Assistant Secretary/Co-Tax Compliance Officer

All members of the Board were present, thus constituting a quorum. Also attending all or portions of the meeting 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; David Leyendecker, of Clay & Leyendecker, Inc., engineer for the District; Joseph Ellis of McCall Gibson Swedlund Barfoot PLLC (the "Auditor"); Alan P. Petrov of Johnson Petrov LLP (the "Attorney" or "JP"), attorneys for the District and Jason Robbins of Christ the King Church.

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. Robbins approached the Board to request a hydrant connection and installation on the south side of Katy Flewellen on the church property premises. After discussion concerning the location of the property, Mr. Robbins was informed that the water line he wants to connect to belongs to the City of Katy and not the District. Mr. Robbins thanked the Board for the information.

Next, the President directed the Board to proceed with the agenda.

2. Approval of Minutes. Next, the Board considered approval of the October 16, 2019 regular meeting minutes and October 17, 2019 special meeting minutes. Upon motion by Director Carp, seconded by Director Ammer, after full discussion and with all Directors present voting aye, the Board approved the such minutes as presented.

3. Audit Report. Mr. Ellis then presented a draft of the District's audit report for the fiscal year ended August 31, 2019, a copy of which is attached hereto as Exhibit "A". Mr. Ellis reviewed the draft audit report and responded to questions from the Board.

Upon motion by Director Comeaux, seconded by Director Davis, after full discussion and with all Directors present voting aye, the Board approved the audit report including filing the Continuing Disclosure Report.

4. Bookkeeper's Report and Investment Report. Ms. Shelnutt reviewed with the Board the Bookkeeper's Report and Investment Report, copies of which are attached hereto as Exhibit "B".

a. Ms. Shelnutt reviewed the written reports and responded to questions.

b. Ms. Shelnutt then reviewed the 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 Carp, seconded by Director Comeaux, 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 1659 through 1683 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 "C".

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 3.1% of the 2019 taxes had been collected as of October 31, 2019.

Upon motion by Director Davis, seconded by Director Carp, 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 2243 thru 2245 from the Tax Account.

6. 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.

b. Mr. Ring also reported there were seventeen (17) 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.

Upon motion by Director Davis, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board approved the approved 1) the Operations Report; and 2) authorized termination of service to seventeen (17) delinquent accounts pursuant to the District's Rate Order.

7. Engineering Report.

a. Mr. Leyendecker reported on a request from Ray Young for water and sewer service to property outside the boundaries of the District. Mr. Leyendecker informed the Board that he will advise Mr. Young that the District does not have excess capacity.

b. Next, Mr. Leyendecker reported that the well repair is ongoing; so far there no structural failure was found.

c. He also reported that Allen Perez is in the process of getting an easement for his development.

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 Report.

8. New Business/Annual Agenda:

a. Annual Review of Emergency Water Contract with H-FBCMUD Nos. 1 and 5. The Board reviewed the contract and determined no action was needed at this time.

b. Annual review of Westheimer Parkway Landscape Maintenance Contract. The Board reviewed the contract and determined no action was needed at this time.

c. Annual review of Emergency Water Supply Contract with the City of Katy. The Board reviewed the contract and determined no action was needed at this time.

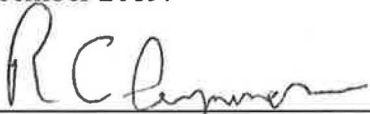
9. Old Business

a. Update on Fire Protection Services with the City of Katy (the "City"). No action was taken.

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

SIGNED, PASSED and APPROVED this 12th day of December 2019.

[DISTRICT SEAL]

  
Secretary, Board of Directors

EXHIBITS:

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

