

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

**MINUTES OF MEETING OF BOARD OF DIRECTORS**

**MARCH 18, 2020**

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, March 18, 2020, 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	Secretary/Investment Officer/Co-Tax Compliance Officer
Larry W. Davis	Treasurer
Kenneth L. Comeaux	Assistant Secretary/Co-Tax Compliance Officer
Greg Murray	Director

All members of the Board were present, thus constituting a quorum. Also attending all or portions of the meeting were: Bob Ring of Inframark (the "Operator" or "Inframark"), operator for the District; and Alan P. Petrov of Johnson Petrov LLP (the "Attorney" or "JP"), attorneys for the District.

Attending by Teleconference: Kim Shelnutt of Myrtle Cruz, Inc. (the "Bookkeeper" or "MCI"), bookkeeper for the District; Cindy Winski of Equi-Tax, Inc. (the "Tax Assessor/Collector" or "Equi-Tax"), tax assessor/collector for the District; and Steve Cursey member 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.

The HOA representative stated that the HOA is conducting business as usual with no interruption of service.

2. Approval of Minutes. Next, the Board considered approval of the regular meeting minutes of February 19, 2020. Upon motion by Director Murray, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board approved minutes as presented.

3. 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.

Upon motion by Director Comeaux, seconded by Director Davis, 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 1779 through 1803 from the Operating Account.

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

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

b. Ms. Winski next reported that 94.5% of the 2019 taxes had been collected as of February 29, 2020.

Upon motion by Director Davis, seconded by Director Murray, 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 2258 thru 2261 from the Tax Account.

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

a. Discussion first ensued concerning the letter from the County Judge's requesting the District to suspend disconnections and waive late fees during Disaster Declaration period. The Board discussed the desire to help residents but noted that it is also needed to maintain the financial health of the District.

Upon motion by Director Ammer, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board agreed to suspend service disconnections and waive late fees during the Disaster Declaration until May 1, 2020 in cooperation with the letter from the County Judge, but will review this policy again at the April Board meeting.

b. Mr. Ring reviewed the current operations in the District with the Board and answered questions. Next, Mr. Ring also reported there were ten (10) delinquent accounts scheduled for termination due to non-payment of water and sewer bills and one (1) collection account. No members of the public wished to comment on termination of water for non-payment of the water and sewer bills or the collection account.

Upon motion by Director Davis, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board approved 1) the Operations Report; and 2) authorized turning one (1) collection account over to a collection agency.

6. Engineering Report. Mr. Leyendecker was not present at tonight's Board meeting; however, Director Berckenhoff provided an update on the well repair, including the issue of getting the well back up to capacity. Currently, testing shows capacity up to 1,000-1,100 gpm range. As a result, the plan is to place a 1,000 gpm pump in the well. He had no updates on development issues or the Boardwalk.



7. New Business.

a. Memorandum regarding website requirements prescribed by SB2. Mr. Petrov updated Board regarding the new statutory requirements to post additional financial information on the District's website. Mr. Petrov stated that his office will assist the District with compliance.

b. Discussion on Emergency Management Procedures. Mr. Petrov reviewed with the Board the options for conducting a meeting by Teleconference. He explained that the Governor has suspended certain provisions of the Open Meetings Act to make teleconference meetings easier.

Mr. Petrov also reviewed with the Board the option to postpone the May Director's election November 3, 2020. Mr. Petrov stated that if the Board chose to postpone until November, it would be a joint election with the County. The consensus of the Board was not to postpone the election and no formal action was taken at this time.

Next, the Board discussed a recent proposal received from USA Waste Solutions ("USA") and Director Berckenhoff stated he would like to go ahead and invite USA to an upcoming Board meeting.

8. Old Business.

a. Update on Fire Protection Services with the City of Katy (the "City").

Mr. Petrov gave an update on his discussion with the City of Houston as well as his conversation with Katy City Attorney.

Director Berckenhoff stated that the District just need's the City of Katy to write a letter agreeing to accept all of Fort Bend County MUD No. 37's in their ETJ, that's the first step in the process to get out of the City of Houston's ETJ and into the City of Katy's ETJ.

Director Berckenhoff stated he would follow-up with the City and request a meeting with Byron Hebert, the City Manager.

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

SIGNED, PASSED and APPROVED this 15th day of April, 2020.

[DISTRICT SEAL]

  
Secretary, Board of Directors

EXHIBITS:

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

