

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 37

MINUTES OF MEETING OF BOARD OF DIRECTORS

NOVEMBER 16, 2022

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 16, 2022, 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:

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, 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; Robert Lugo of Inframark (the "Operator" or "Inframark"), operator for the District; Jon Strange P.E. of JNS Engineers, engineer for the District ("Engineer"); Joseph Ellis of McCall Gibson Swedlund Barfoot PLLC (the "Auditor"); Joseph "Will" Petrov of Johnson Petrov LLP (the "Attorney" or "JP"), attorneys for the District; Allen Perez with the Westheimer Parkway Project ("Developer"), and Diane Wilson, a resident of 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. Ms. Wilson spoke to the Board, regarding issues in the District.
2. Approval of Minutes. The Board next considered approval of the special meeting minutes of October 19, 2022, which was previously distributed to the Board.

Upon motion by Director Berckenhoff, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board approved regular meeting minutes of October 19, 2022, as presented.

3. Audit Report. Mr. Ellis presented and reviewed the draft audit report for the fiscal year ended August 31, 2022, a copy of which is attached hereto as Exhibit "A". Mr. Ellis responded to questions from the Board.

Upon motion by Director Berckenhoff, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board approved the audit report.

4. Bookkeeper's Report and Investment Report. Ms. Shelnutt previously distributed the Bookkeeper's Report and Investment Report, copies of which are attached hereto as Exhibit "B". Ms. Shelnutt reviewed the written report and responded to questions. Discussion ensued.

Upon motion by Director Berckenhoff, seconded by Director Gilliland, 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.

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

a. Mr. Landreville reviewed with the Board the Tax Assessor/Collector's Report. He also responded to questions from the Board. Mr. Landreville next reported that 4.7% of the 2022 taxes and 99.5% of the 2021 taxes had been collected as of October 31, 2022.

b. Mr. Landreville then presented and reviewed the Delinquent Tax Collection Report prepared by the Thornhill Law Firm, a copy of which is attached hereto as Exhibit "C-1". Mr. Landreville reported one (1) outstanding account holder, all accounts have been notified of 2021 tax, penalty and interest amounts that are past due. Mr. Landreville stated that any remaining unpaid accounts with a previous year balance will be added to the delinquent list for collection/termination of water services.

Upon motion by Director Gilliland, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board 1) approved the Tax Assessor/Collector's Report, as presented; 2) authorized payment of check numbers 2386 thru 2390 from the Tax Account; and 3) approved the Delinquent Tax Attorney Report, including termination of delinquent accounts.

6. Operations Report. Mr. Lugo presented the Operations Report, a copy of which is attached hereto as Exhibit "D".

a. Mr. Lugo reviewed the current operations in the District with the Board and answered questions.

Mr. Lugo also presented and reviewed a cost estimate to replace the check valve on blower #2 at the Sewer Plant in the amount of \$2,850.

Upon motion by Director Berckenhoff, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board approved the cost estimate to replace the check valve on Blower #2 at the Sewer Plant in the amount of \$2,850.

Mr. Lugo also reported fourteen (14) 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. Discussion ensued.

b. Automated Meter Reading (AMR) Installation Notice. The North Fort Bend Regional Water Authority (the "Authority") plans to install Automated Meter Reading ("AMR") system to read all the groundwater well meters within the Authority at the Authority's expense. The Authority requested the District approve the Right of Entry Agreement, a copy of which is attached hereto as Exhibit "E". Discussion ensued.

Upon motion by Director Berckenhoff, seconded by Director Murray, after full discussion and with all Directors present voting aye, except Director Gilliland, who opposed, the Board approved the Right of Entry Agreement.

Upon motion by Director Berckenhoff, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board 1) approved the Operations Report; and 2) authorized termination of service to fourteen (14) delinquent accounts pursuant to the District's Rate Order.

7. Engineer's Report.

a. Mr. Strange reviewed the Engineer's Report, a copy of which is attached hereto as Exhibit "F" with the Board and responded to questions.

Mr. Strange also updated the Board on the WWTP Rehab Monitoring Project. He also presented and reviewed Pay Application No. 3 to SiteCon Services, Inc. in the amount of \$158,940.00 and recommended the Board approve the Pay Application. Mr. Strange then presented and reviewed Change Order No. 1 from SiteCon Services, Inc. in the amount of \$14,915.00 and he recommended the Board approve Change Order No. 1.

Mr. Strange reviewed a request for service from Westside Badmiton. The Board declined to service Westside Badmiton.

The Board will have a special workshop meeting on November 30th to discuss future projects.

Upon motion by Director Berckenhoff, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board approved 1) the Engineer's Report, 2) Pay Application No. 3 to SiteCon Services, Inc. in the amount of \$158,940.00; and 3) Change Order No. 1 from SiteCon Services, Inc. in the amount of \$14,915.00.

8. New Business/Annual Agenda.

a. Annual Review of Emergency Water Contract with Harris-Fort Bend County MUD Nos 1 and 5.

The Board reviewed the contract and determined no action was needed at this time.

b. Annual Review of Emergency Water Supply Contract with the City of Katy.

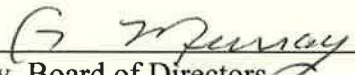
The Board reviewed the contract and determined no action was needed at this time.

9. City of Katy Emergency Services Monthly Stat Report. The Board reviewed the Stat Report. No action was taken.

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

SIGNED, PASSED and APPROVED this 21st day of December, 2022.




Secretary, Board of Directors

EXHIBITS:

- A - Audit Report
- B - Bookkeeper's Report
- C - Tax Assessor/Collector's Report
- C-1- Delinquent Tax Attorney Report
- D - Operations Report
- E - Automated Meter Reading (AMR) – Right of Entry
- F - City of Katy Stat Report