

MINUTES OF REGULAR MEETING  
OF THE  
BOARD OF DIRECTORS

July 18, 2018

THE STATE OF TEXAS §

COUNTY OF FORT BEND §

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 185 §

The Board of Directors (the "Board") of Fort Bend County Municipal Utility District No. 185 (the "District") met in regular session, open to the public, at 12:00 p.m., Wednesday, July 18 2018, at 9 Greenway Plaza, Suite 1000, Houston, Texas 77046, a designated meeting place outside the boundaries of the District; whereupon, the roll was called of the members of the Board of Directors, to-wit:

Allen Thomas	President
Scott Donahue	Vice President
Wesley Noonan	Secretary
Al Menconi	Assistant Secretary
Terrell W. Berger	Assistant Secretary

All members of the Board of Directors were present except Director Thomas thus constituting a quorum.

Also present at the meeting were Mark Vogler of the Fort Bend County Drainage District; Constable Thompson, Lieutenant Martin and Deputy Carranza of the office of Fort Bend County Constable, Precinct 3; Amy Symmank with Myrtle Cruz, Inc., the District's Bookkeeper; Nick Bailey of Brown & Gay Engineers, Inc., the District's Engineer ("BGE"); Travis Benes and Daniel Pereya with Environmental Allies ("Environmental"); Brea Campbell and Bart Downum with Environmental Development Partners, L.L.C., ("EDP"), Operator for the District; Kristen Scott with Bob Leared Interests ("BLI"), the District's Tax Assessor/Collector ("TAC"); John Cannon, Attorney, and Tiffany Ehmke, Paralegal with Coats|Rose, P.C. ("Coats|Rose"), the District's legal counsel.

Whereupon, the meeting was called to order. A copy of the notice of the meeting is attached hereto as Exhibit "A".

**DISCUSSION WITH FORT BEND COUNTY DRAINAGE DISTRICT (“FBCDD”) REGARDING REPAIRS TO WILLOW FORK BAYOU**

The Board recognized Mr. Vogler who outlined damage to the Willow Fork drainage area located north of the District. He added that when FBCDD made repairs after Hurricane Harvey at Buffalo Bayou near the District they did not have enough materials to completely correct erosion issues. Mr. Vogler stated that FBCDD has been working with several regulatory authorities to correct many areas in need of repair and unfortunately is unable to do further work on Willow Fork Bayou until said authorities provide approval. Director Noonan inquired if the FBCDD would be willing to reimburse the District for the repairs they must do to correct the slope paving and outfall pipe at a later date. Mr. Vogler stated he does not know at this time and noted any repairs the District must do may require permitting. The Engineer stated he would investigate any necessary permitting requirements and requested FBCDD to review the District’s plan to repair the slope paving. The Operator stated that the slope paving repairs could be included in the District’s FEMA claim. No action was taken on this matter.

**COMMENTS FROM THE PUBLIC**

No comments were provided by the public.

**HEAR CONSTABLE’S REPORT**

The Board recognized Constable Thompson who introduced Deputy Carranza and Lieutenant Martin who assist with the District’s patrol. The Constable added that with the District growing they may want to consider an additional Deputy to patrol. Director Noonan requested that if Deputy Carranza observes increased activity in the District to let the Board know. No action was taken.

**APPROVE MINUTES OF MEETING OF JUNE 20, 2018**

The proposed minutes of the meeting held on June 20, 2018 previously distributed to the Board, were presented for consideration and approval.

Upon a motion duly made by Director Menconi and seconded by Director Noonan, the Board voted unanimously to approve the minutes of the meeting of June 20, 2018.

**TAX ASSESSOR/ COLLECTOR REPORT**

The Board recognized Ms. Scott who delivered the tax collection report, a copy of which is attached hereto as Exhibit “B”. After review and upon a motion by Director Menconi, second by Director Berger and the question being put to the Board, the Board voted unanimously to approve the tax collector’s report.

Ms. Ehmke reported on the welfare checks for two (2) residents that were completed by the Deputy. She added that one of the residents was out of the country and the other residence was occupied. No action was taken.

## **BOOKKEEPER'S REPORT**

The Board recognized Ms. Symmank who reviewed the bookkeeper's report, a copy of which is attached hereto as Exhibit "C". Ms. Symmank noted that she is still holding the NewQuest reimbursement check from surplus funds. Mr. Cannon stated that all facilities must be conveyed and inspected before said check can be released.

### **Consider approving budget for fiscal year ending July 31, 2019**

Ms. Symmank outlined a proposed budget for fiscal year ending July 31, 2019, a copy of which is included in the Bookkeeper's report.

Upon a motion brought by Director Menconi, seconded by Director Berger the Board unanimously voted to approve the bookkeeper's report, payment of the bills, and the proposed budget for fiscal year ending 2019.

## **OPERATOR'S REPORT**

The Board next recognized Ms. Campbell, who reviewed the Operator's report which includes the utility billing summary, accountability report, subsidence district report, North Fort Bend Water Authority ("NFBWA") report and the 30-day delinquent list for July 2018, a copy of which is attached hereto as Exhibit "D". Ms. Campbell reported that there are twenty-five (25) delinquent accounts to consider for disconnection.

### **Substantial System Repairs and Maintenance**

- The Operator repaired a leak located in the blow off valve at 9722 Gaston Road in the amount of \$2,037.56.
- The Operator conducted an annual PM on the generator at the water plant in the amount of \$1,048.74
- The Operator conducted an annual load bank test on the generator at the water plant in the amount of \$1,107.09

### **Wastewater Treatment Plant Blower #2 Replacement**

- Ms. Campbell reminded the Board that she was authorized at the District's May meeting to replace Blower No. 2 at the wastewater treatment plant and it is completed.

### **Lift Station No. 1 Automatic Transfer Switch ("ATS") Repair**

- Ms. Campbell reminded the Board that she was authorized at the June meeting to repair the ATS at Lift Station No. 1 and it is completed.

### Water Plant Jockey Pump Repair

- Ms. Campbell requested authorization to repair the jockey pump at the water plant for an estimated cost of \$3,800.00, plus an estimated cost of \$1,200.00 for EDP's time and materials. The cause of failure was a stuck check valve.

### Consumer Confidence Report ("CCR")

- Attached to the Operators Report is a copy of the Certificate of Delivery that has been filed with the Texas Commission on Environmental Quality for the 2017 CCRs that were mailed to customers on June 25<sup>th</sup>.

### Write Off List

- Ms. Campbell stated that a write-off list is attached to the Operator's report and requested the Board consider approving the write-off list and authorizing it to be sent to collections. She noted the accounts are from October 2017 through March 2018 with five accounts totaling \$369.18.

### Delinquent Accounts and Service Terminations

- Please see attached the list of customers that received a delinquent letter by mail and are subject to disconnection of service.

After review, upon a motion brought by Director Noonan, seconded by Director Berger, the Board unanimously voted to approve (i) the Operator's report; (ii) the water termination list; (iii) writing off the uncollectable accounts and (iv) the repair of the jockey pump at the water plant, including the cost of EDP's time and materials.

## **HEAR ENVIRONMENTAL ALLIES REPORT AND CONSIDER ACTING THEREON**

The Board recognized Mr. Benes who presented and reported on maintenance of the detention pond in the District, a copy of his report is attached hereto as Exhibit "E". He presented two (2) proposals for the slope paving repairs in the amount of \$27,600 and \$36,350, copies of which are attached hereto as Exhibit "F".

After consideration, upon a motion brought by Director Noonan, seconded by Director Menconi, the Board unanimously approved the proposal in the amount of \$36,500, subject to the Engineer investigating permit requirements and providing the information to the Operator to submit to FEMA.

## **ENGINEER'S REPORT**

The Board then recognized Mr. Bailey who reviewed the monthly Engineer's Report, a copy of which is attached hereto as Exhibit "G".

### Discuss inspection of water tanks

Mr. Bailey distributed copies of inspection reports on the water plant facilities for discussion, copies of which are attached hereto as Exhibit "H". He added that the outside of the ground storage tanks ("GST") are inspected annually and the interiors are inspected every five (5) years.

Mr. Bailey reported that GST No. 1 is eleven (11) years old and has been re-coated and is in need of maintenance; and GST No. 2 is five (5) years old and in need of maintenance as well. He noted that GST No. 3 is made of steel and is in good condition. Mr. Bailey recommended a long-term solution to enhance the life of the GSTs would be to replace GST Nos. 1 and 2 with one (1) large steel GST. The Board discussed the costs and benefits of re-coating the current GSTs and replacing both GST Nos. 1 and 2. The Board requested Mr. Bailey provide a potential plan and budget if both GST Nos. 1 and 2 were to be replaced. No action was taken on this matter.

### Consider approving utility commitment letter to VillaSport

Mr. Bailey stated that a request was submitted for water and sanitary sewer capacity for the proposed VillaSport development, said request is attached to the Engineer's report.

Upon a motion brought by Director Noonan, seconded by Director Berger, the Board unanimously voted to approve the utility commitment request for the proposed VillaSport development and the Engineer's report, as presented.

## **ATTORNEY'S REPORT**

### Consider accepting conveyance of detention ponds from NewQuest to the District

The Board recognized Mr. Cannon who updated the Board and stated that the conveyances have been sent to NewQuest but have not yet been executed.

### Consider approving agreement for Fort Bend County regarding relocation of water line

Mr. Cannon stated that he has not heard from Fort Bend County regarding any comments or changes to said agreement. No action was taken.


Mr. Cannon drew the Board's attention to the District's constable report and WCA call log attached as Exhibit "I".

There being no other business to come before the Board, the meeting was adjourned.

PASSED, APPROVED AND ADOPTED this 15<sup>th</sup> day of August, 2018.

(DISTRICT SEALS)



  
Secretary, Board of Directors