

**MINUTES OF MEETING OF THE  
BOARD OF DIRECTORS**

**October 12, 2016**

STATE OF TEXAS §  
COUNTY OF FORT BEND §  
BIG OAKS MUNICIPAL UTILITY DISTRICT §

The Board of Directors (the "Board") of Big Oaks Municipal Utility District of Fort Bend County, Texas (the "District"), met in regular session, open to the public, on Wednesday, October 12, 2016, at the offices of Municipal Operations and Consulting, 1825 North Mason Road, Katy, Texas, a designated meeting place outside the boundaries of the District, whereupon, the roll was called of the members of the Board, to-wit:

Michael Abshire	-	President
Vacant	-	Vice President
Sonyan Stephens	-	Secretary
Mark Van Dyck	-	Assistant Secretary
Jennifer Flores	-	Assistant Secretary

All members of the Board were present, thus constituting a quorum. Also present at the meeting were: Eileen Peters and David Johnson, members of the public; Sam Cocke and Joe Mattingly of Texas Erosion Solutions; Christina Garcia of Myrtle Cruz, Inc., the District's Bookkeeper; Lina Loaiza of Bob Leared Interests, the District's tax collector ("TAC"); Mike Williams and Brian Dubiel of Municipal Operations and Consulting ("MOC") or (the "Operator"); Matt Carpenter of IDS Engineering Group ("IDS"), the District's engineer (the "Engineer"); John Cannon, Attorney, and Tiffany Marquez, Paralegal, of Coats|Rose, P.C., the District's legal counsel.

WHEREUPON, the meeting was called to order and evidence was presented that public notice of the meeting had been given in compliance with the law. A copy of the posted agenda notice is attached hereto as Exhibit "A".

RECEIVE COMMENTS FROM THE PUBLIC

The Board recognized Ms. Peters regarding her recently approved installment agreement. Mr. Cannon reported that her first payment per her installment agreement was returned for insufficient funds; however Ms. Peters would like to request the Board accept her upcoming payment without penalty and continue with the original installment agreement. After consideration, upon a motion brought by Director Abshire, seconded by Director Van Dyck, the Board unanimously vote to approve Ms. Peters' original installment agreement without penalty.

Director Stephens reported that a resident in Twin Oaks has recently created a lending

library and with the Twin Oaks HOA's approval has placed the lending library at the pool near the park in Twin Oaks. Director Stephens stated that she would like to add some information about the lending library on the District's next water bill and requested the Board's approval. Upon a motion brought by Director Van Dyck, seconded by Director Flores, the Board unanimously approved adding information about the lending library on the District's next water bill.

Director Van Dyck inquired about the outcome of contacting the Constable's office regarding holiday and overtime for the deputies. Ms. Marquez reported that she contacted Chief Arnold informing her that the Board requested that no holidays or overtime for the deputies should be worked without prior Board approval.

#### CONSIDER APPOINTING DIRECTOR TO FILL VACANCY

This matter was deferred.

#### RECONSTITUTE BOARD OF DIRECTORS AND ACTING THEREON

This matter was deferred.

#### CONSIDER AMENDING DISTRICT REGISTRATION FORM

This matter was deferred.

#### APPROVAL OF MINUTES

The Board considered approval of the minutes of the meetings held September 14 and September 26, 2016. After discussion, upon a motion by Director Abshire and seconded by Director Stephens, the Board unanimously voted to approve the minutes of the regular meetings held September 14 and September 26, 2016.

#### BOOKKEEPER'S REPORT

The Board next recognized Ms. Garcia, who presented for the Board's review and approval of the bookkeeper's report, a copy of which is attached hereto as Exhibit "B".

#### Ratify amendment to District budget

Mr. Cannon reported that at last month's meeting the Board approved an amended District budget and requested approval ratifying the amendment to the District's budget. After consideration, upon a motion brought by Director Flores, seconded by Director Abshire, the Board unanimously voted to approve the bookkeeper's report as presented and the ratification of the amendment to the District's budget.

APPROVE TAX COLLECTOR'S REPORT

The Board recognized Ms. Loaiza who delivered the tax collection report for the period ending September 30, 2016. She reported that 99.321% of the 2015 taxes have been collected.

Consider approving Payment Agreements for delinquent taxpayers

Mr. Cannon reported that three (3) residents are delinquent on taxes and have contacted Coats|Rose to arrange a Payment Agreement. Mr. Cannon requested the Board's approval of said Payment Agreements. After the Board's review he requested the Board approve payment plans and execute said agreements. Upon motion by Director Van Dyck, seconded by Director Abshire, and the question being put to the Board, the Board voted unanimously to approve the tax collector's report and approve payment plans for delinquent taxes with three residents as requested. A copy of the tax report is attached hereto as Exhibit "C".

OPERATOR'S REPORT

The Board recognized Mr. Williams who presented the operator's report for September, 2016 a copy of which is attached hereto as Exhibit "D". The water well was inspected to ensure proper operation and monitor water usage and the total number of connections is at 2,131. He also reported that the water accountability is at 97%. All water system samples reported negative for bacteriological contamination.

The Board discussed the signs for the jogging trail regarding open and closing times of the jogging trail. Director Flores requested additional signs be placed throughout the area. Mr. Williams will coordinate with Mr. Carpenter regarding the placement of the additional signs.

Next, Mr. Williams reported that WCA is not opening and closing the lid of the dumpster at the wastewater treatment plant as requested and agreed upon. He presented a proposal for an enclosure of the dumpster to minimize odor, a copy of which is attached hereto as Exhibit "E".

Mr. Dubiel presented and outlined an update on the sidewalk repairs, a copy of which is attached hereto as Exhibit "F".

After consideration, upon a motion brought by Director Van Dyck, seconded by Director Abshire, the Board unanimously voted to approve (i) the Operator's report as presented; (ii) termination of water for residents listed on the cut off list; and (iii) the proposal for the dumpster enclosure at the wastewater treatment plant.

HEAR REPORT FROM TEXAS EROSION

The Board recognized Mr. Mattingly who gave a report on maintenance of the Twin Oaks Detention Pond and Channel, the West Oaks Village Detention Pond, and the Bellaire Common Area, a copy of which is attached as Exhibit "G". Director Van Dyck inquired about the mowing outside the fence by the skate park and Mr. Mattingly stated that one of the HOAs maintains that area. Mr. Mattingly noted in his report that a piece of the jogging trail sidewalk

was damaged and in need of repair. Upon a motion brought by Director Flores, seconded by Director Abshire the Board unanimously approved the repair of the sidewalk at the jogging trail.

## ENGINEER'S REPORT

Mr. Carpenter presented the engineer's report, a copy of which is attached hereto as Exhibit "H". A summary of the status of various projects in the District is as follows:

1. MS4 Storm Water Quality Management Plan
  - IDS has prepared the annual report for the MS4.
2. Landscape Improvements to WWTP Site
  - IDS held a final walk through for the original work on Thursday, August 11, which resulted in a minor punch list. The contractor has not completed the punch list items.
  - IDS met with the contractor on Wednesday, September 14 to confirm the alignment of the additional work:
    - Confirming Alignment – Complete
    - Excavation – In Progress
    - Form work- In Progress
    - Concrete Placement – Complete
    - Site Cleanup and Restoration – Nearly Complete
  - Mr. Carpenter noted that the letter of completion was submitted by the contractor.
3. Asset Management Plan
  - No updates this month.
4. Water Plant Tank Inspections
  - IDS is preparing construction plans and technical specifications for the rehabilitation of GST 1 and HPT 1.
5. Potential +/-400 Acre Annexation

The District has agreed to continue negotiations with DR Horton and Fort Bend County MUD No. 190 regarding a central facilities agreement. IDS is prepared to assist the attorney in the preparation of the agreement.
6. Wastewater Discharge Permit Renewal

The permit renewal application is nearly complete and IDS requested authorization to submit the application to the TCEQ for approval.
7. Wastewater Treatment plant – Dumpster

It was pointed out that the dumpster is a cause of odor at the plant. Additionally, it is difficult to have the trash collection company replace the dumpster in the proper place allowing for the dumpster to be covered. IDS has developed a plan to construct an enclosure for the dumpster that would allow for the trash company to more easily replace

the dumpster after collection, and reduce the potential for odor to escape the plant site. The operator is developing a cost to construct the enclosure.

8. Trail Lighting and Cameras

IDS prepared a construction cost estimate for trail lighting and cameras for the special meeting last month.

After review, upon a motion brought by Director Abshire, seconded by Director Flores, the Board unanimously voted to approve the engineer's report and authorize IDS to submit the wastewater discharge permit renewal application to the TCEQ for approval.

HEAR ATTORNEY'S REPORT AND CONSIDER TAKING ANY ACTION REQUESTED BY ATTORNEY

Ratify approval of Constable Contract with Fort Bend County Constable, Precinct No. 2 and Indemnity Agreements with Twin Oaks HOA and West Oaks HOA

Mr. Cannon reminded the Board that at last month's Board meeting the Constable contract and related Indemnity Agreements with Twin Oaks and West Oaks HOAs were approved. He requested the ratification of the approvals at today's meeting. Upon a motion brought by Director Abshire, seconded by Director Van Dyck the Board ratified action taken for the Constable's contract and related Indemnity Agreement with Twin Oaks and West Oaks HOA.

Discuss recent assaults on jogging trail

This matter was discussed during the operator's report.

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PASSED, APPROVED AND ADOPTED this 9<sup>th</sup> day of November, 2016.

(DISTRICT SEAL)



  
Secretary, Board of Directors