

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

October 10, 2018

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 10, 2018, 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
Sonyan Stephens	-	Vice President
Jennifer Flores	-	Secretary
Mark Van Dyck	-	Assistant Secretary
David Johnson	-	Assistant Secretary

All members of the Board were present, thus constituting a quorum. Also present at the meeting Mark Eyring, with Roth & Eyring, LLC, the District's Auditor; Joe Mattingly of Double Oak Erosion ("Double Oak"); Christina Perry of Myrtle Cruz, Inc., ("MCI") the District's Bookkeeper; Lina Loaiza of Bob Leared Interests, the District's tax collector ("TAC"); Mike Williams of Municipal Operations and Consulting ("MOC") or (the "Operator"); Angie Howes of IDS Engineering Group ("IDS"), the District's engineer (the "Engineer"); John Cannon, Attorney, and Tiffany Ehmke, 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".

HEAR FROM THE PUBLIC

No comments were given.

CONSIDER APPROVING ANNUAL AUDIT

The Board recognized Mr. Eyring, who reviewed with the Board a draft of the audit for fiscal year ended June 30, 2018. He answered the Board's questions, including Director Van Dyck's question about the Fort Bend County Municipal Utility District No. 190 ("FBCMUD 190") agreement with the District. He stated that he plans on coordinating with Mr. Cannon for

more clarity regarding the FBCMUD190 agreement and will modify that section of audit. After review, upon a motion made by Director Flores, seconded by Director Johnson, the Board voted unanimously to approve Mr. Eyring's audit report, subject to the modification of the audit regarding the FBCMUD190 agreement with the District.

HEAR PRESENTATION FROM CLARK CONDON AND CONSIDER ACTING THEREON

The Board recognized Mr. Cannon who stated that Mr. Konyha was not feeling well and was unable to attend the meeting. However, Mr. Cannon handed out a proposal from Clark Condon, a copy of which is attached hereto as Exhibit "B". The Board discussed Clark Condon's proposal as well as a previously received proposal from 4 & 1 Design. After consideration, upon a motion brought by Director Van Dyck, seconded by Director Abshire, the Board unanimously voted to approve the proposal provided by 4 & 1 Design, a copy of which is attached hereto as Exhibit "C".

APPROVAL OF MINUTES

The Board considered approval of the minutes of the meeting held on September 12, 2018. After discussion, upon a motion by Director Flores and seconded by Director Johnson, the Board unanimously voted to approve the minutes of the meeting held on September 12, 2018.

BOOKKEEPER'S REPORT

The Board next recognized Mrs. Perry, who presented for the Board's review and approval of the Bookkeeper's report, a copy of which is attached hereto as Exhibit "D". Director Stephens noted a correction to page 10 regarding her per diem for the execution of the Constable contract should be changed to \$50. Director Flores inquired about check no. 10054 in the amount of \$118,895.79. Ms. Perry stated that the amount was from water and sewer for the joint facilities and groundwater reduction plan fees. After consideration, upon a motion brought by Director Abshire, seconded by Director Flores, the Board unanimously voted to approve (i) the Bookkeeper's report; and (ii) payment of the bills.

APPROVE TAX COLLECTOR'S REPORT

The Board recognized Ms. Loaiza who delivered the tax collection report for the period ending September 30, 2018. She reported that 99.536% of the 2017 taxes have been collected. Upon motion by Director Flores, seconded by Director Abshire, and the question being put to the Board, the Board voted unanimously to approve the tax collector's report, a copy of which is attached hereto as Exhibit "E".

OPERATOR'S REPORT

The Board recognized Mr. Williams who presented the operator's report for September, 2018 a copy of which is attached hereto as Exhibit "F". The water well was inspected to ensure proper operation and monitor water usage and the total number of connections is at 2,132.

Mr. Williams presented and reviewed the Fire Hydrant AFC Recall (“AFC Recall”), a copy of which is attached hereto as Exhibit “G”. He reported that the District’s fire hydrants are checked two (2) times a year and that the list of fire hydrants included in the AFC Recall will be replaced at no cost to the District.

After consideration, upon a motion brought by Director Flores, seconded by Director Johnson, 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; (iii) approve write-off of the uncollectable accounts; and (iv) the AFC Recall list as presented.

Next, Director Van Dyck stated that he has seen recent news reports on Chromium 6 in the water in other areas and suggested the Operator test the District’s water for Chromium 6. Upon a motion brought by Director Abshire, seconded by Director Johnson, the Board unanimously voted to authorize the Operator to test the District’s water for Chromium 6.

HEAR REPORT FROM DOUBLE OAK 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 Double Oak’s report is attached hereto as Exhibit “H”.

Mr. Mattingly reported that there was additional graffiti located at the West Oaks Detention Pond and other facilities referenced on pages 7 and 10 of his report. He added that the proposal for the removal of the graffiti and anti-graffiti paint Mr. Disdier provided at a previous meeting may not have included those areas. Mr. Mattingly presented a copy of the previously presented proposal for graffiti removal and/ or anti-graffiti paint, a copy of which is attached hereto as Exhibit “I” for the Board’s reference. He will have to confirm all graffiti locations were included in the proposal. The Board discussed authorizing Mr. Mattingly to remove all the graffiti not to exceed \$3,000. The Board also instructed Mrs. Ehmke to contact 4 & 1 Design regarding shrub and/or tree placement to cover the utility boxes where graffiti is currently located.

Mr. Mattingly drew the Board’s attention to page 11 of his report regarding an area that the District does not currently maintain. Ms. Howes stated that the District owns the area and Mr. Mattingly stated he would provide a proposal to maintain the area at the next District meeting.

Upon a motion brought by Director Abshire, seconded by Director Johnson, the Board unanimously voted to approve the report and authorize Mr. Mattingly to remove the graffiti at all locations, not to exceed \$3,000.

ENGINEER'S REPORT

Ms. Howes presented the engineer's report, a copy of which is attached hereto as Exhibit “J”. A summary of the status of various projects in the District is as follows:

1. Water Plant Improvements

- The contractor has worked with the Operator to re-mobilize with the below schedule:
 - October 1 - October 8: Drain Tank
 - October 8 – October 19: Evaluate the repairs/modifications in the tank.
 - October 22 – November 30 : Tank repairs/modifications
 - December 3 – January 21: All painting (GST, HPT, Piping), Paint Cure, Close/ Fill Tank, Water Samples.

2. Extreme Event Drainage Analysis

- The Engineer has followed up with the engineer for Fort Bend County Municipal Utility District No. 30 (“FBCMUD30”) on their drainage study which is necessary to proceed with an analysis. No information has been received at this time.

3. Wastewater Treatment Plant

- The Engineer inspected the aeration basin where a crack was repaired in the past, IDS recommended working with the Operator to develop a cost proposal to take the basin off-line, empty, clean it and assess for issues. The Engineer also recommended coating the basin.

4. Water Meters

- IDS is waiting on the Texas Commission on Environmental Quality to approve the surplus funds application (that was submitted by the attorney) prior to commencing this project.

5. Fort Bend County

- IDS contacted Fort Bend County (the “County”) about the items below, twice and has received no response.
 - The intersection of Westmoor Drive/Oakland Mills Drive at FM 1093/ Westpark Tollway frontage Road. The Engineer notified the County regarding the Board’s suggestion of additional lighting or reflective signage at the intersection.
 - The existing sign that says “This Neighborhood patrolled by Off Duty Police” on Westmoor north of Bellaire. She noted that the District has a contract with the Constable’s office and the officers that patrol are on duty. Ms. Howes added that the Board would like to request signs that say “On Duty” as well as placement at all entrances to the District. She inquired about the installation within the county street right-of-way (“ROW”).
 - Ms. Howes also included the location of the leaning tree at Bellaire and West Oaks Village.

6. Lighting at Skate Park

- Ms. Howes recommended working with a landscape architect due to the proximity of several residences before installing any lighting at the skate park. The Board instructed Mrs. Ehmke to contact 4 & 1 Design regarding lighting and/or other recommendations they may have to deter graffiti.
- Ms. Howes also recommended additional lighting on the bridge or anti-graffiti paint.

7. Temporary Construction Easement for Bellaire and Westmoor

- The project consists of completing the second half of the existing half-boulevards on Bellaire and Westmoor. The County is requesting a temporary construction easement on the West side of Westmoor Drive and on the Northside of Bellaire Boulevard for grading behind the proposed curb.

The project includes the installation of additional storm sewer pipes and structures that will be maintained by the District. New inlets and storm sewer laterals are proposed for Bellaire Boulevard and for part of Westmoor Drive. Proposed storm sewer improvements on Westmoor Drive also includes the installation of a new trunk line on Westmoor Drive. The design engineer is from IDS, Carol Harrison.

The County is proposing to remove all the existing soft-wood trees within the ROW due to the maintenance and intersection visibility concerns. If the District would like to keep any of the oak trees and maintain them the District must notify the County. Attached to the Engineer's report is the exhibit of the trees that IDS recommended saving. Mr. Mattingly suggested an arborist or 4 & 1 Design evaluate the trees to be sure they are in good health before deciding whether or not to save the trees. The Board instructed Mrs. Ehmke to contact 4 & 1 Design regarding evaluating the trees and to possibly request that trees along Bellaire and Westmoor be saved.

Finally, the County is proposing sidewalks on several areas of the project not yet been determined. The maintenance of these sidewalks will also be the responsibility of the District and will have to be coordinated with the County.

IDS does not have any issues with the request and has sent the request to the attorney for review and returned comments to the County.

After consideration, upon a motion brought by Director Abshire seconded by Director Flores, the Board unanimously voted to approve the Temporary Construction Easement with the County, subject to Mr. Cannon's final changes.

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

Mr. Cannon drew the Board's attention to the District's constable report and the WCA call log attached hereto as Exhibit "K" and Exhibit "L", respectively. No action was taken.

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PASSED, APPROVED AND ADOPTED this day of 14th of November, 2018.

(DISTRICT SEAL)


Secretary, Board of Directors

