

MINUTES OF MEETING OF BOARD OF DIRECTORS  
March 24, 2009

THE STATE OF TEXAS  
COUNTY OF FORT BEND  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 81

The Board of Directors (the "Board") of Fort Bend County Municipal Utility District No. 81 (the "District") met in regular session, open to the public, at the Fort Bend County Commissioner Precinct 3 Office Building, 8100 Highway 359 South, Fulshear, Texas 77441, on March 24, 2009, at 9:00 a.m.; whereupon roll was called of the directors, to-wit:

President	-	J.B. DuBois, Jr.
Vice President	-	John A. Brinsko
Secretary	-	Victor J. Zdunkewicz
Assistant Secretary	-	Joseph Ray LeBlanc
Treasurer	-	Robert Machen

All members of the Board were present. Also attending all or part of the meeting were Mr. Harlen Wunsch, Ms. Kim Rassette and Mr. Ray Gonzales of Severn Trent Environmental Services, Inc. ("ST"), operators for the District; Mr. Kenneth Byrd of Equi-Tax, Inc. ("Equi-Tax"), tax assessor and collector for the District; Mr. Terry Holland of Myrtle Cruz Inc. ("MCI"), bookkeeper for the District; Mr. Kenneth Martinec of Jones & Carter, Inc., ("J&C"), engineers for the District; Mr. Dennis DeLuca, alderman for the City of Weston Lakes; and Ms. Nancy Green of Fulbright & Jaworski L.L.P. ("F&J"), attorneys for the District.

The meeting was called to order and, in accordance with notice posted pursuant to law, copies of certificates of posting which are attached hereto as *Exhibit A*, the following business was transacted:

1. **Minutes.** Consideration was given to the minutes of the regular meeting of February 24, 2009, previously distributed to the Board. Upon motion by Director Brinsko, seconded by Director LeBlanc, after full discussion and the question being put to the Board, the Board voted unanimously to approve the minutes of the regular meeting February 24, 2009, as presented. Consideration was given to the minutes of the special meeting of March 12, 2009, previously distributed to the Board. Upon motion by Director LeBlanc, seconded by Director Brinsko, after full discussion and the question being put to the Board, the Board voted unanimously to approve the minutes of the special meeting of March 12, 2009, as presented.

2. **Tax Assessor and Collector's Report.** Mr. Byrd presented to and reviewed with the Board the Tax Assessor and Collector's Report for February, a copy of which is attached hereto as *Exhibit B*. Mr. Byrd reported that the District has collected 91.7% of its 2008 taxes and 59% of its 2009 standby fees. Upon motion by Director LeBlanc, seconded by Director Brinsko, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Tax Assessor and Collector's Report and to authorize payment of

check nos. 2677 through 2691 from the Tax Account in the amounts, to the persons, and for the purposes described in the Tax Assessor and Collector's Report.

3. **Attorney's Report.** There was no report.

4. **Bookkeeper's and Investment Report.** Mr. Holland presented to and reviewed with the Board the Bookkeeper's Report and Investment Report, copies of which are attached hereto as *Exhibit C*. Director LeBlanc requested that Mr. Holland amend the Fairway Villas 2 future disbursements from \$309,000 to \$323,052 on the Cash Summary Page of the Bookkeeper's Report. Upon motion by Director Machen, seconded by Director Brinsko, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Investment Report, the Bookkeeper's Report, and the payment of the District's bills noted therein.

5. **Operations Report.** Mr. Wunsch introduced Ms. Rasette to the Board. Ms. Rasette gave the President a copy of the lock box contract for the Board's review.

Mr. Wunsch presented to and reviewed with the Board the Operations Report, a copy of which is attached hereto as *Exhibit D*. Mr. Wunsch reported that there are 10 months and 225,927,000 gallons remaining on the District's Fort Bend County Subsidence District ("FBCSD") water permit. Mr. Wunsch stated that the District pumped 17,467,000 gallons of water in the month of February and that the water accountability for the month was 87.82%.

Mr. Wunsch reported that ST pulled the meter at 5222 Waterbeck because the District has not received payment for the builder damages from Westwood Homes. Mr. Wunsch noted that an additional Westwood Home is occupied and the resident is paying the water bills.

Mr. Wunsch reviewed with the Board the invoice meeting items and noted that ST would issue credit to the District for five work orders.

Mr. Wunsch reported on the leak detection investigations and noted that Mr. Gonzales checked Section 19 and determined that no leaks were present. Mr. Wunsch stated that Mr. Gonzales would be presenting a proposal to the Board upon his arrival.

Mr. Wunsch reported that 17 accounts are on the delinquent list and requested the Board's approval to disconnect the accounts on April 7, 2009, if payment is not received by 5:00 p.m. on April 6, 2009.

Director DuBois requested that ST provide the Board information regarding the water usage per household so that the information could be used to encourage water conservation in the District. Mr. Wunsch stated that he would email the Board the six-month Excel report detailing household water usage.

Mr. Gonzales entered the meeting and reviewed with the Board the water leak detection proposal. Mr. Gonzales reported that he would investigate the hydrants, valves, blow-off valves and approximately 750 water meters at a cost of \$3,000. Mr. Gonzales reported that the meter investigation would reveal whether a leak is occurring on the District's line or between the meter to the main. Mr. Gonzales noted that upon completion, he would send a final copy of

the leak investigation report to the Board via email. Mr. Wunsch stated that ST would repair any leaks discovered by Mr. Gonzales immediately. Upon motion by Director Brinsko, seconded by Director Zdunkewicz, after full discussion and the question being put to the Board, the Board voted unanimously to approve the leak detection proposal at a cost of \$3,000.

Upon motion by Director Machen, seconded by Director Brinsko, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Operator's Report and to disconnect the accounts on the delinquent list.

6. **Engineer's Report.** Mr. Martinec reviewed with the Board the Engineer's Report, a copy of which is attached hereto as *Exhibit E*. Mr. Martinec reported that construction is nearly complete in Weston Lakes Section 19, Phase 2. Mr. Martinec reported that the contractor is addressing minor punch items from the final inspection held on March 4, 2009. Mr. Martinec noted no new pay estimates this month. Mr. Martinec reported that J&C is preparing a draft final pay estimate to be sent to the auditor so that he may prepare the requested agreed-upon procedures audit for Section 19 reimbursement. Mr. Martinec recommended submitting the audit and application for purchase at the same time. Mr. Martinec reported that J&C is scheduling a pre-purchase inspection of the facilities as required by the TCEQ.

Mr. Martinec reported on the water plant recoating and stated that the contractor, D&L Quality Painting, completed minor touchups from the one-year inspection. Mr. Martinec reported that J&C notified the operator that the ground storage tank could be brought back online.

Mr. Martinec reported on the water plant no. 2 well pump motor and noted that the rental well pump motor was replaced with a rebuilt motor on March 5, 2009. Mr. Martinec stated that a vibration in the motor was caused by a defective Siemens "soft start" relay. Mr. Martinec reported that the relay was replaced and that the original motor was repaired and kept as a spare.

Director DuBois reported that drought contingency water conservation will be required in districts with populations of 5,000 or more. Mr. Martinec stated that the District has approximately 1,200 connections and is still under a population of 5,000.

Upon motion by Director Brinsko, seconded by Director LeBlanc, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Engineer's Report.

7. **Developer's Report.** There was no report.

8. **Public Comments.** There were no public comments.

9. **Other business matters.** Director DuBois reported that Non-Abolishment Agreement between the District and the City of Weston Lakes would be presented for approval and execution at the City of Weston Lakes board meeting on April 28, 2009. Director DuBois noted that Mr. Thomas and Mr. Martinec would be attending the meeting with Director Zdunkewicz and himself. Director DuBois requested that the Board email their supporting views on the agreement to him prior to the meeting.

Director DuBois stated that the District website and the emergency manual needs to be updated. Director DuBois noted that the water and sewer rates have not been amended in several years and need to be reviewed. Discussion ensued regarding a special meeting date to discuss the aforementioned topics. It was the consensus of the Board to hold a special meeting April 23, 2009 at 9:00 a.m. at the Fort Bend County Commissioner Precinct 3 Office Building.

Director DuBois stated that the Water Smart application was submitted by ST. Director LeBlanc noted that the District information sheet is not current. Mr. Wunsch reported that he would forward an updated District information sheet for inclusion in the application.

Upon motion by Director Machen, seconded by Director Brinsko, after full discussion and the question being put to the Board the Board voted unanimously to adjourn the meeting.

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

\* \* \*

The above and forgoing minutes were passed and approved by the Board of  
Directors on \_\_\_\_\_.

\_\_\_\_\_  
President, Board of Directors

ATTEST:

\_\_\_\_\_  
Secretary, Board of Directors