

MINUTES  
NOTTINGHAM COUNTRY MUNICIPAL UTILITY DISTRICT

June 15, 2020

The Board of Directors (the "Board") of Nottingham Country Municipal Utility District (the "District") met in regular session, by teleconference, with access available by telephone to the public, pursuant to Texas Government Code Section 551.125 and Governor Greg Abbott's emergency disaster declaration dated March 13, 2020 (the "Disaster Declaration"), on the 15th day of June, 2020, and the roll was called of the members of the Board being present by telephone:

Ronald E. Hudson	President
Vaughan Brown	Vice President
Alan Wiggins	Secretary
Wade K. Skelton	Assistant Vice President
Dennis Moon	Assistant Secretary

and all of the above were present, thus constituting a quorum.

Also attending the teleconference were Pamela Logsdon of AVANTA Services ("AVANTA"); Michelle McClintock and Cynthia Colondres of Municipal Accounts & Consulting, L.P. ("MAC"); Kelley Jurecek of Tax Tech, Inc. ("TTI"); Brian Bare of Si Environmental, LLC ("Si Enviro"); Teague Harris of IDS Engineering Group ("IDS"); Bob DeForest of KGA/DeForest Design, LLC; and Christina Miller and Caroline Jones of Allen Boone Humphries Robinson LLP.

Ms. Miller reviewed certain recommended protocols for conducting the District's meeting via teleconference. She announced that the meeting was being recorded and that consultant reports presented at the meeting were posted online and available to the public in the form of an "agenda packet" prior to the start of the meeting at [www.districtdirectory.org/agendapackets/ncmud](http://www.districtdirectory.org/agendapackets/ncmud).

OPERATIONS AND SERVICE REQUIREMENTS RELATING TO COVID-19 EPIDEMIC AND RATIFICATION OF ANY EMERGENCY ACTIONS

Mr. Bare stated that there were no District service issues resulting from the COVID-19 epidemic to report at this time. Following discussion, there was no action on this matter.

PUBLIC COMMENT

Director Hudson offered any members of the public attending the meeting by telephone the opportunity to make public comment. There being no members of the public requesting to make public comment, Director Hudson moved to the next agenda item.

## MINUTES OF PRIOR MEETING

The Board considered approval of the minutes of the District's regular meeting held on May 18, 2020. Following review and discussion, Director Brown moved to approve the minutes of the May 18, 2020, regular meeting, as written. Director Wiggins seconded the motion. A roll-call vote of the Board was taken and the motion passed unanimously, with all directors voting "yea."

## WEST HARRIS COUNTY REGIONAL WATER AUTHORITY MATTERS ("WHCRWA")

There was no discussion on this matter.

## FINANCIAL AND BOOKKEEPING MATTERS

Ms. McClintock presented the bookkeeper's report, a copy of which is attached. Ms. McClintock reviewed the written bookkeeper's report, including the budget comparison, schedule of investments, quarterly investment report, certificates of deposit expired and renewed, and checks presented for approval. Ms. McClintock recommended the Board maintain its checking account with Compass Bank. She then recommended the Board authorize MAC to close the District's money market accounts at First Financial Bank, Central Bank, and TexSTAR and to transfer the funds from those accounts to the District's existing money market accounts with Compass Bank and TexPool. Following review and discussion, Director Brown moved to approve (1) the bookkeeper's report; (2) authorize payment of the checks presented for payment; and (3) close the money market accounts at First Financial Bank, Central Bank, and TexSTAR and transfer the funds to the money market accounts with Compass Bank and TexPool. Director Moon seconded the motion. A roll-call vote of the Board was taken and the motion passed unanimously, with all directors voting "yea."

Ms. Logsdon reported AVANTA and MAC have completed the transition of the District's books. Ms. Miller presented and reviewed a Resolution Changing and Appointing Investment Officer which appoints Mark Burton and Ghia Lewis as the new Investment Officers for the District.

The Board received the disclosure statements of Mark Burton and Ghia Lewis as the District's Investment Officers. Ms. Miller explained that the statements disclose relationships of the bookkeeper/Investment Officers with entities or individuals who are offering, have offered, or may offer to engage in an investment transaction with the District. She noted that the disclosure statements will be filed with the Texas Ethics Commission.

Ms. Miller presented and reviewed Amended Exhibit A's to the Depository Pledge Agreements with Compass Bank, Central Bank, and Wells Fargo Bank which reflect MAC as the District's bookkeeper and Investment Officer.

The Board considered authorizing execution of an updated District Registration Form with the Texas Commission on Environmental Quality ("TCEQ"), reflecting the new bookkeeper.

After review and discussion, Director Wiggins moved to (1) adopt the Resolution Changing and Appointing Investment Officer; (2) accept the disclosure statements of Mr. Burton and Ms. Lewis as the District's Investment Officers and authorize filing of the statements with the Texas Ethics Commission; (3) approve the Amended Exhibit A's to Depository Pledge Agreements with Compass Bank, Central Bank, and Wells Fargo Bank and direct that the documents be filed appropriately and retained in the District's official records; and (4) authorize filing of the updated District Registration Form with the TCEQ and direct that the District Registration Form be filed appropriately and retained in the District's official records. Director Skelton seconded the motion. A roll-call vote of the Board was taken and the motion passed unanimously, with all directors voting "yea."

#### REVIEW CONSULTANT CONTRACTS AND CONSIDER FEE ADJUSTMENTS

The Board noted no contract review and fee adjustment requests were received.

#### TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Jurecek distributed and reviewed the tax assessor/collector's report, including a list of checks presented for approval, a copy of which is attached. She noted that approximately 98.27% of 2019 taxes have been collected as of the meeting date. Following review and discussion, Director Brown moved to approve the tax assessor/collector's report and payment of the checks drawn on the District's tax account. Director Skelton seconded the motion. A roll-call vote of the Board was taken and the motion passed unanimously, with all directors voting "yea."

#### AUTHORIZE DELINQUENT TAX ATTORNEY TO PROCEED WITH COLLECTION OF DELINQUENT TAXES

Ms. Miller stated that the District's delinquent tax attorney can begin collection of real property taxes that remain delinquent as of July 1, 2020. After discussion, Director Brown moved that the Board authorize the delinquent tax attorney to proceed with the collection of delinquent 2019 real property taxes as of July 1, 2020. Director Wiggins seconded the motion. A roll-call vote of the Board was taken and the motion passed unanimously, with all directors voting "yea."

#### SB 2 TRANSPARENCY REQUIREMENTS

Ms. Miller reviewed a memorandum regarding transparency requirements in Sections 26.17 and 26.18, Tax Code, as enacted by Senate Bill 2, the "Texas Property Tax Reform and Transparency Act of 2019." She discussed financial and tax rate information that must be posted on a website maintained or accessible to the District. She also

discussed tax-related information that must be included in a property tax database maintained by the appraisal district, some of which must be provided by the District.

Ms. Miller presented a proposed amendment to the contract between TTI and the District for implementation of the transparency requirements. She said the amendment reflects that TTI will host and maintain a generally accessible website containing the required information. Ms. Miller said the amendment also reflects that TTI will provide required data to the appraisal district to include in its property tax database. She discussed the fees associated with implementation of the requirements contained in Sections 26.17 and 26.18, Tax Code, as reflected in the contract amendment.

After review and discussion, Director Wiggins moved to approve the amendment to the contract between the District and TTI as presented. Director Brown seconded the motion. A roll-call vote of the Board was taken and the motion passed unanimously, with all directors voting "yea."

#### OPERATION OF DISTRICT FACILITIES AND CUSTOMER CORRESPONDENCE

Mr. Bare reviewed the operations report, a copy of which is attached. He generally reviewed operations and maintenance for the month. Mr. Bare reported 99.14% accountability for the prior month. He reported that there were no violations at the wastewater treatment plant and no new connections. Mr. Bare reported that the sanitary sewer and televising of Section C-3 was complete. After review and discussion, Director Brown moved to approve the operator's report. Director Wiggins seconded the motion. A roll-call vote of the Board was taken and the motion passed unanimously, with all directors voting "yea."

#### CONDUCT HEARING ON TERMINATION OF WATER SERVICE

Mr. Bare presented to the Board a list of delinquent customers and reported the residents on the termination list were delinquent in payment of their water and sewer bills and were given written notification, in accordance with the District's Rate Order, prior to the meeting of the opportunity to appear before the Board to explain, contest, or correct their bills and to show why utility services should not be terminated for reason of non-payment. Director Wiggins moved to continue the suspension of termination of water and sewer service to delinquent customers and waive the late fees and penalties for the current billing cycle, and direct that the delinquent customer list be filed appropriately and retained in the District's official records. Director Moon seconded the motion. A roll call vote of the Board was taken and the motion passed unanimously, with all directors voting "yea."

#### ENGINEERING AND CAPITAL IMPROVEMENT PROJECTS

The Board received the engineer's report, a copy of which is attached.

## WATER PLANT AND WELL NO. 1 FLOOD MITIGATION

Mr. Harris stated the contractor, W. W. Payton Corporation ("W. W. Payton"), has completed the demolition of the existing concrete filter foundations in the area of the new Motor Control Building and Generator Platform and completed the drilling and installation of the concrete foundation piers. He stated W. W. Payton will return to the site on June 21, 2020, and begin shoring and forming for the Motor Control Building and generator slabs. Mr. Harris stated W. W. Payton anticipated completion of the Motor Control Building by the end of August, 2020. The Board deferred action on the Resolution Declaring Surplus Property regarding the existing diesel generator at the Water Plant.

Mr. Harris reported on the timeline of utilizing neighboring interconnects during the period in which the Water Plant is temporarily shut down during the Water Plant mitigation project. Mr. Harris stated that the Operations Committee agreed to proceed with the proposed October 1, 2020 Water Plant shut down, contingent upon on Si Enviro's assessment of the weather, water demands, and the operational status of Harris County Municipal Utility District No. 81's ("HCMUD No. 81") water supply interconnect status in September. Mr. Harris stated that HCMUD No. 81's engineer informed IDS that HCMUD No. 81's water plant and well improvement project is expected to be operational in July, 2020. Mr. Harris stated that Memorial Municipal Utility District ("Memorial MUD") will receive construction bids for its water well replacement project on June 19, 2020, and that IDS anticipates receipt of a construction schedule from Memorial MUD's engineer prior to the next Board meeting.

Mr. Harris then reviewed and recommended approval of Pay Estimate No. 1 in the amount of \$138,825.00, payable to W. W. Payton. Following review and discussion, Director Brown moved, based on the engineer's recommendation, to approve Pay Estimate No. 1 in the amount of \$138,825.00. Director Wiggins seconded the motion. A roll call vote of the Board was taken and the motion passed unanimously, with all directors voting "yea."

## WELL NO. 2 FLOOD MITIGATION

Mr. Harris provided an update on the status of the Well No. 2 flood mitigation project. He stated construction will not occur until the Water Plant and Well No. 1 are back online.

## WELL NO. 3 FLOOD MITIGATION

Mr. Harris provided an update on the status of the Well No. 3 flood mitigation project.

## WASTEWATER TREATMENT PLANT ("WWTP") FLOOD MITIGATION

Mr. Harris reported the design of the WWTP flood mitigation project remains on hold pending completion of the WWTP improvement project.

## WWTP IMPROVEMENTS

Mr. Harris provided an update on the WWTP improvements. Mr. Harris stated the contractor, N&S Construction Company, LP ("N&S"), made significant progress in the last month including performing full tank clean water testing of the aeration basins, air diffuser, and the anoxic basins mixer system. He stated that the new aeration basins went into operation in early June and that the temporary manual bar screen was removed and replaced with the permanent enclosed mechanical screen. Mr. Harris noted that the installation of the permanent enclosed mechanical screen, along with the clean out of the digesters, should reduce the odor concerns reported by Parklake Village residents.

Mr. Harris then reviewed and recommended approval of Pay Estimate No. 31 in the amount of \$31,845.49 payable to N&S. Following review and discussion, Director Brown moved, based on the engineer's recommendation, to approve Pay Estimate No. 31 in the amount of \$31,845.49. Director Wiggins seconded the motion. A roll call vote of the Board was taken and the motion passed unanimously, with all directors voting "yea."

## OFFSITE LIFT STATION FLOOD MITIGATION

There was no discussion on this matter.

## SANITARY SEWER REHABILITATION PROGRAM

There was no discussion on this matter.

## DEEDS, EASEMENTS, CONSENTS TO ENCROACHMENTS, REQUEST FOR SERVICE OR UTILITY COMMITMENT LETTERS

There was no discussion on this matter.

## DISTRICT CAPITAL IMPROVEMENT PLAN BUDGET UPDATE

There was no discussion on this matter.

## GEOGRAPHIC INFORMATION SYSTEM

Mr. Harris stated there was no news to report on the Geographic Information System.

DETENTION POND MAINTENANCE MATTERS

There was no discussion on this matter.

Following review and discussion, Director Wiggins moved to approve the engineer's report. The motion was seconded by Director Brown. A roll-call vote of the Board was taken and the motion passed unanimously, with all directors voting "yea."

GREENBELT PARK AND GREENBELT NORWALK

Director Brown generally reported on maintenance matters related to Greenbelt Park and Greenbelt Norwalk. Director Brown stated he obtained the cost for 2 weekly garbage collections in the parks in the amount of \$400.00. Director Brown stated van Sant is also addressing drainage issues near newly planted trees as reported by Director Moon. Director Wiggins reported on an uneven section of the walking trail west of Cobble Springs, which Director Brown stated he will investigate.

PUBLIC POWER POOL ("PPP") TECHNICAL COMMITTEE

Director Hudson generally reported on the PPP Technical Committee.

EMERGENCY NOTIFICATION SYSTEM

There was no discussion on this matter.

DISTRICT TECHNOLOGY AND INFORMATION MANAGEMENT MATTERS

There was no discussion on this matter.

WEBSITE MATTERS

There was no further discussion on this matter.

MEETING SCHEDULE

The Board concurred to hold its next meeting on July 20, 2020.

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



/s/ Alan Wiggins \_\_\_\_\_  
Secretary, Board of Directors

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