

MINUTES
NOTTINGHAM COUNTRY MUNICIPAL UTILITY DISTRICT

October 18, 2021

The Board of Directors (the "Board") of Nottingham Country Municipal Utility District (the "District") met in regular session, open to the public, on the 18th day of October, 2021, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, Texas, outside the boundaries of the District, and the roll was called of the members of the Board:

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 all or part of the meeting were Michelle McClintock of Municipal Accounts & Consulting, L.P.; Kathryn Foss of Municipal Financial Services, LLC; Kelley Jurecek of Tax Tech, Inc.; Teague Harris and Vernon Webb of IDS Engineering Group ("IDS"); and Christina Miller, Erin Mitchell, and Caroline Jones of Allen Boone Humphries Robinson LLP ("ABHR").

Due to the COVID-19 virus epidemic emergency and the high threat level warnings issued by various governments and agencies, the District established a telephone option for District consultants and members of the public to listen to the meeting and to address the Board.

On the telephone were Brian Bare of Si Environmental, LLC ("Si Enviro") and Bob DeForest of KGA/DeForest Design, LLC.

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 September 20, 2021. Following review and discussion, Director Brown moved to approve the minutes of the September 20, 2021, regular meeting, as written. Director

Wiggins seconded the motion, which passed unanimously.

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

Ms. Mitchell presented and reviewed a Notice of Anticipated Fees from the Authority, a copy of which is attached. She stated the Authority anticipates increasing (1) the Groundwater Reduction Plan Fee from \$3.45 per 1,000 gallons of groundwater pumped to \$3.70 per 1,000 gallons of groundwater pumped; and (2) the Surface Water Fee from \$3.85 per 1,000 gallons of water delivered by the Authority to \$4.10 per 1,000 gallons of water delivered by the Authority.

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. Foss presented samples of an Enhanced Bookkeeping Report, an Annual EVO Report, and a Ten-Year Budget Forecast, copies of which are attached, to the Board. Ms. Foss stated that the monthly cost of the Enhanced Bookkeeping Report is \$475.00 per month and includes the Annual EVO Report.

Following review and discussion, Director Wiggins moved to (1) approve the bookkeeper's report; (2) authorize payment of the bills; (3) approve the implementation of the Enhanced Bookkeeping Report and Annual EVO Report in the amount of \$475.00 per month; and (4) to receive an Annual EVO Report prior to receiving the Audit for fiscal year end September 30, 2021. Director Moon seconded the motion, which passed unanimously.

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 99.46% of the 2020 taxes have been collected as of the meeting date. After review and discussion, Director Brown moved to (1) approve the tax assessor/collector's report; and (2) authorize payment of the checks drawn on the District's tax account. Director Moon seconded the motion, which passed unanimously.

CONDUCT PUBLIC HEARING REGARDING DISTRICT'S TAX RATE, ADOPT
ORDER LEVYING TAXES, AND AUTHORIZE EXECUTION OF AMENDMENT
TO INFORMATION FORM

Ms. Mitchell stated that notice was published of the public hearing to be

held at today's meeting regarding adoption of the District's proposed 2021 total tax rate of \$0.32.

Director Hudson opened the public hearing. There being no comments from the public, Director Hudson closed the public hearing. The Board discussed funding needs for ongoing District operations and maintenance and the possibility of levying a 2021 total tax rate at a rate lower than the published proposed tax rate.

Ms. Mitchell presented an Order Levying Taxes reflecting the proposed 2021 tax rate. She then presented an Amendment to Information Form reflecting the tax rate and stated that the Amendment will be filed with the Texas Commission on Environmental Quality and recorded in the Official Public Records of Harris County.

After review and discussion, Director Brown moved to (1) adopt the Order Levying Taxes reflecting a total 2021 tax rate of \$0.30 per \$100 of assessed valuation, with all \$0.30 allocated for operations and maintenance; (2) authorize execution of the Amendment to Information Form; and (3) direct that the Order and Amendment be filed appropriately and retained in the District's official records. Director Skelton seconded the motion, which passed by unanimous vote.

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 99.11% accountability for the prior month. He reported that there were no violations at the wastewater treatment plant and no new connections.

CUSTOMER CONFIDENTIALITY

Ms. Mitchell reviewed a memorandum with the Board regarding legislative changes to Section 182.052, Utilities Code, relating to confidentiality of certain personal and billing information of utility customers, a copy of which is attached. She said such information must be kept confidential, with certain exceptions, unless the customer requests disclosure. Ms. Mitchell discussed the requirement for the District to provide notice of the customer's right to request disclosure, along with a request form, by including the notice and form with the utility bills sent to customers. Mr. Bare confirmed that Si Enviro received the required notice and form language from ABHR for inclusion on the utility bills.

CONDUCT HEARING ON TERMINATION OF WATER SERVICE

Mr. Bare presented to the Board a list of delinquent customers and reported that 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. After review and discussion, Director Brown moved to terminate services for the customers on the list in accordance with the District's Rate Order and direct that the delinquent customer list be filed appropriately and retained in the District's official records. Director Moon seconded the motion, which passed unanimously.

Following review and discussion, Director Brown moved to approve the operator's report. Director Moon seconded the motion, which passed unanimously.

ENGINEERING AND CAPITAL IMPROVEMENT PROJECTS

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

WATER PLANT AND WELL NO. 1 FLOOD MITIGATION

Mr. Harris updated the Board regarding the Water Plant and Well No. 1 Flood Mitigation project.

Mr. Harris discussed the malfunction of three booster pumps at the Water Plant. Mr. Harris stated that due to the malfunction, all four of the Water Plant's booster pumps were taken off-line and that the District is receiving water from the interconnects with Harris County Municipal Utility District No. 81 ("HC MUD 81") and Memorial Municipal Utility District ("MMUD").

Mr. Harris stated that two pumps were sent back to Pentair, the pump manufacturer, and that Pentair's investigation concluded that the failure was due to overheated bearings that appeared to be caused by an accumulation of air in the pump cans ("air locking") which caused the pump bowls to run dry. Mr. Harris stated that there was air present in the pump cans when the two pumps were removed, although the source and quantity of the air in the pump cans have not been determined. Mr. Harris explained that the bearings are lubricated and cooled by the pressurized water that each booster pump produces, and if the pumps are not pumping water, then the lubrication of the mechanical seals and bearings does not occur. Mr. Harris stated that Pentair concluded that the pumps' failure was not due to Pentair's material and workmanship and that the failure is not covered by Pentair's warranty.

Mr. Harris then discussed possible sources of the air, the most likely of which is that some air may have been trapped in the suction piping between the ground storage tanks and the pump cans. Mr. Harris stated that during construction, all the water in the ground storage tanks and the booster pump piping was drained out and, when the system was refilled, perhaps air was trapped in a high spot in the piping to allow the new construction. Mr. Harris

stated that if this is the source of the air, it should be depleted over time. He added that most of this air should have been bled out of the system at pump startup when air was manually bled from the pump cans.

Mr. Harris discussed how to prevent this problem from occurring again and that IDS has recommended the following actions (1) to install air release valves on the pump cans that will release air but not water; and (2) to change the source of the pressurized water feeding the mechanical seal lubrication, so if a pump stops pumping water, the water flow to the seals will continue.

Mr. Harris stated the Pentair factory provided a proposal to repair the pumps for \$14,755.00 for the small booster pump and \$22,230.00 for the large booster pumps with an eight to twelve week lead time. Mr. Harris stated that IDS requested costs and the lead time to repair the pumps from EMS, the local authorized Pentair repair shop, and EMS indicated that the repairs will cost significantly less than the Pentair proposal, and the lead time should also be significantly quicker. Mr. Harris stated that EMS will warranty the pumps for one year.

Mr. Harris recommended that the Board authorize EMS to repair three booster pumps and inspect the fourth booster pump, install air release valves on all four pump cans, and change the source of pressurized water for lubrication of the mechanical seals. Mr. Harris also recommended placing one pump in service and keeping the interconnects open with HC MUD 81 and MMUD.

Mr. Harris stated that there was no pay application for the reporting period.

WELL NO. 2 FLOOD MITIGATION

Mr. Harris provided an update on the status of the Well No. 2 flood mitigation project.

WELL NO. 3 FLOOD MITIGATION

Mr. Harris stated IDS continues to update the scope of work for the Well No. 3 flood mitigation project. He stated that he will bring a conceptual cost estimate and an engineering fee proposal to the Board for approval.

Ms. Miller entered the meeting.

WASTEWATER TREATMENT PLANT ("WWTP") FLOOD MITIGATION

Mr. Harris stated IDS began the design of the Wastewater Treatment Plant Flood Mitigation project.

WASTEWATER TREATMENT PLANT IMPROVEMENTS

Mr. Harris stated that N&S Construction Company, L.P. ("N&S") has received all the aeration equipment for the mixing of the two anoxic zones and that N&S will coordinate with Si Enviro on timing to begin the installation of the aeration equipment.

Mr. Harris stated that one of the aeration blowers at the WWTP had a failed electrical part that was replaced and the other aeration blower has a failed cooling fan and a broken drive belt. Mr. Harris stated the parts are on order and Aerzen, the aeration blower manufacturer, is preparing a proposal to repair the second aeration blower. Mr. Harris stated that the lead time to receive the parts is eight weeks. Mr. Harris stated that IDS is requesting expedited delivery of the parts.

Mr. Harris stated that there was no pay application for the reporting period.

NON-POTABLE WATER SYSTEM

Mr. Harris stated IDS continues to advertise for bids to furnish and install the non-potable pump and piping system.

OFFSITE LIFT STATION FLOOD MITIGATION

There was no discussion on this matter.

SANITARY SEWER REHABILITATION PROGRAM

Mr. Harris provided an update on the status of the sanitary sewer rehabilitation program.

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

Ms. Miller stated that the Harris County Engineering Department is requesting the Board authorize execution of a temporary construction easement to construct a pedestrian crossing at Highland Knolls Drive at Chelsea Park Drive and Highland Knolls Drive at Knolls Spring. Director Skelton moved to authorize execution of the temporary construction easement. Director Brown seconded the motion, which passed unanimously.

DISTRICT CAPITAL IMPROVEMENT PLAN ("CIP") BUDGET UPDATE

Mr. Harris stated that IDS will update the CIP budget when the upcoming Harvey mitigation project cost estimates are calculated.

GEOGRAPHIC INFORMATION SYSTEM ("GIS")

There was no discussion on this matter.

DETENTION POND MAINTENANCE MATTERS

There was no discussion on this matter.

DISTRICT FACILITIES AND ENGINEERING WORK, INCLUDING STORM WATER CHANNEL IMPROVEMENTS

There was no discussion on this matter.

DEVELOPMENT IN THE DISTRICT

There was no discussion on this matter.

Mr. Harris stated that IDS continues to prepare an updated status report of the District's facilities and capital projects for the District's website.

Mr. Harris stated that IDS is preparing the Texas Commission on Environmental Quality's ("TCEQ") Wastewater Treatment Plant Permit Renewal Application ("TCEQ Permit Application") for the District's WWTP Discharge Permit. Mr. Harris added that the TCEQ Permit Application for renewal of the TCEQ Permit must be submitted by November 2, 2021 and requested the Board's approval of the TCEQ Permit Application.

Following review and discussion, Director Brown moved to (1) approve the engineer's report; (2) delegate authority to Director Hudson to approve the repair of three pumps by EMS in an amount not to exceed \$80,000.00; (3) authorize installation of air release valves on the pump cans; and (4) approve the TCEQ Permit Application. Director Wiggins seconded the motion, which passed unanimously.

GREENBELT PARK AND GREENBELT NORWALK

Director Brown generally reported on maintenance matters related to Greenbelt Park and Greenbelt Norwalk (collectively, the "Greenbelts").

LONG-TERM PARK AND RECREATIONAL FACILITY PLANNING MATTERS

There was no discussion on this matter.

LANDSCAPE ARCHITECT'S REPORT

Mr. DeForest reviewed the Landscape Architect's Report, a copy of which is attached.

Mr. DeForest stated three proposals were received for tree trimming, pruning, and removal in the Greenbelts. He recommended the Board accept the proposal from Cody's Tree Service, Inc. ("Cody's") in the amount of \$122,452.50. Director Brown asked Mr. DeForest to confirm the time frame for the work with Cody's. Ms. Miller stated that ABHR will prepare a Service Agreement between the District and Cody's for the Board's approval at the next meeting.

Mr. DeForest stated bids were received for the Greenbelt Park Trail Lighting Replacement project ("Trail Lighting Project"). He recommended the Board award the contract to W.W. Payton Corporation ("WW Payton") with a base bid in the amount of \$385,000.00, Alternate No. 2 for the addition of Builders Risk or an Installation Floater to the certificate of insurance in the amount of \$2,000.00, and Alternate No. 3 for replacing existing electrical panels for ten days in the amount of \$5,000.00, a grand total of \$392,000.00. The Board concurred that, in its judgement, WW Payton was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the project.

The Board then discussed wording for sign panels to be added to thirteen existing park signs regarding the use of approved motorized vehicles and posting the speed limit for all vehicles in the park.

Following review and discussion, Director Brown moved to (1) based on the landscape architect's recommendation, award the proposal for tree trimming, pruning, and removal to Cody's in the amount of \$122,452.50; (2) based on the landscape architect's recommendation and subject to approval of the payment and performance bonds and review of the certificate(s) of insurance and endorsements, if any, provided by the contractor, award the contract for the Trail Lighting Project to WW Payton in the amount of \$392,000.00; and (3) approve the wording for the sign panels as discussed. Director Skelton seconded the motion, which carried unanimously.

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

After review and discussion, the Board concurred to hold its next regular meeting on November 15, 2021, at 11:30 a.m., in person at the offices of ABHR.

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




Secretary, Board of Directors

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