

MINUTES
NOTTINGHAM COUNTRY MUNICIPAL UTILITY DISTRICT

December 20, 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 20th day of December, 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 except Directors Wiggins and Moon, thus constituting a quorum.

Also attending all or part of the meeting via either telephone or in person were Darrell Hawthorne of Municipal Accounts & Consulting, L.P.; Kelley Jurecek of Tax Tech, Inc.; Brian Bare of Si Environmental, LLC ("Si Enviro"); Teague Harris of IDS Engineering Group ("IDS"); Bob DeForest of KGA/DeForest Design, LLC; Jacob Van Sant of Van Sant Landscaping ("Van Sant"); and Christina Miller, Erin Mitchell, and Caroline Jones of Allen Boone Humphries Robinson LLP ("ABHR").

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 November 15, 2021, and the special meeting held on December 6, 2021. Following review and discussion, Director Brown moved to approve the minutes of the November 15, 2021, regular meeting, as amended and the minutes of the December 6, 2021 special meeting, as written. Director Skelton seconded the motion, which passed unanimously.

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

Ms. Miller updated the Board regarding Authority matters and stated that, upon the Authority's Board of Directors' approval, effective January 1, 2022, the new Authority pumpage fee will be \$3.70 per 1,000 gallons of groundwater pumped and the new Authority surface water fee will be \$4.10 per 1,000 gallons of water delivered by the Authority.

FINANCIAL AND BOOKKEEPING MATTERS

Mr. Hawthorne presented the bookkeeper's report, a copy of which is attached. Mr. Hawthorne 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. Following review and discussion, Director Brown moved to (1) approve the bookkeeper's report; and (2) authorize payment of the bills. Director Skelton seconded the motion, which passed unanimously.

RENEWAL OF DISTRICT'S INSURANCE POLICIES

Ms. Miller stated that the District's insurance policies will expire March 1, 2022. After review and discussion, the Board concurred to receive a renewal proposal from McDonald & Wessendorff Insurance for consideration at next month's meeting.

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 99.47% of the 2020 taxes have been collected as of the meeting date and 18.62% of the 2021 taxes have been collected as of the meeting date. After review and discussion, Director Skelton 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 Brown seconded the motion, which passed unanimously.

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 96.94% accountability for the prior month. He reported that there were no violations at the wastewater treatment plant and no new connections.

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 Skelton the motion, which passed unanimously.

Following review and discussion, Director Skelton moved to approve the operator's report. Director Brown 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").

LANDSCAPING AND MAINTENANCE REPORT

Mr. Van Sant reviewed a Park Maintenance Report from Van Sant Landscape Management ("Van Sant"), a copy of which is attached. Mr. Van Sant then presented and reviewed an Exhibit "C" Nottingham Park Annual Maintenance Bid Form/Frequency Schedule ("Annual Schedule") for landscape maintenance services in the Greenbelts in the annual amount of \$142,734.00. Discussion ensued. Director Brown requested that Mr. Van Sant (1) update the Annual Schedule as Exhibit "A" to accompany Van Sant's Amended And Restated Service Agreement; (2) remove the January tree pruning; (3) remove the inspection of the drinking fountains; (4) add a line item for annual vacuum breaker adjustments; (5) adjust the Norwalk Park inspection fee; and (6) add a line item for the annual replenishment of doggie bags to the Annual Schedule.

PROPOSALS FOR ADDITIONAL WORK

There was no discussion on this matter.

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 updated the Board regarding the Greenbelt Park Trail Lighting Replacement project and stated that an onsite preconstruction meeting was held with W.W. Payton Corporation ("WW Payton") and that WW Payton's submittals have been approved. Mr. DeForest stated that a conditional Notice to Proceed ("NTP") was issued to WW Payton, contingent upon the receipt of the materials and project mobilization. Mr. DeForest stated that the light fixtures have a twelve-week lead time. Director Brown requested that notice to residents of the temporary disconnection of the light fixtures in the Greenbelts be posted on the District's website. A copy of the NTP is attached to the landscape architect's report.

Mr. DeForest updated the Board regarding the sign panels regarding the use of approved motorized vehicles in the park and stated that the sign panels have been installed and the project is complete. Mr. DeForest then reviewed and recommended approval of Invoice No. 31299 from Neon Electric Corporation ("NEC") in the amount of \$4,420.00.

Ms. Miller updated the Board regarding the Policy Regarding the Use of Other Power-Driven Mobility Devices in Greenbelt Park (the "Policy") and stated that the speed limit set in the Policy has been revised to five miles per hour.

Mr. DeForest updated the Board regarding tree trimming, pruning, and removal in the Greenbelts and recommended approval of Invoice No. 233 from Cody's Tree Service, Inc. ("Cody's") in the amount of \$97,962.45. Director Brown confirmed that the project was complete.

Following review and discussion, Director Brown moved to (1) approve the Park Maintenance Report; (2) approve the Landscape Architect's Report; (3) approve the payment of Invoice No. 31299 from NEC in the amount of \$4,420.00; (4) approve the Policy; and (5) approve the payment of Invoice No. 233 from Cody's in the amount of \$97,962.45. 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 discussion on this matter.

EMINENT DOMAIN

Ms. Miller reported that ABHR has filed the District's Eminent Domain Authority Annual Report for 2021 with the Comptroller of the State of Texas, pursuant to Senate Bill 1812. Ms. Miller discussed with the Board an ongoing case related to the use of eminent domain authority by a governmental entity against another governmental entity, *Hidalgo County Water Improvement District No. 3 v. Hidalgo County Water Irrigation District No. 1*. The Board discussed details of the pending case. Following discussion, there was no action on this matter.

RESOLUTION ESTABLISHING ADDRESSES AND METHODS FOR TEXAS PUBLIC INFORMATION ACT REQUESTS

Ms. Miller reviewed with the Board a memorandum regarding designating addresses and methods for receipt of requests for public information under the Texas Public Information Act ("TPIA Requests"), a copy of which is attached. The Board considered designating a mailing address and an email address and approving other methods for receipt of TPIA Requests, pursuant to Section 552.234 of the Texas Government Code. After review and discussion, Director Brown moved to: (1) adopt a Resolution Establishing Addresses and Methods for Texas Public Information Act Requests ("Resolution") to (a) designate the address of the District's official office as the mailing address and not000@txdistricts.info as the email address for receipt of TPIA Requests to the District and (b) direct that the designated addresses and methods be printed on the sign displayed by the District under Section 552.205, Texas Government Code; and (2) direct the Resolution to be filed appropriately and retained in the District's official records. Director Skelton 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 stated that Electric Motor Specialists ("EMS"), the local factory

authorized repair shop, completed the repairs to booster pumps 2 and 4, and the pumps were installed on November 29, 2021. He stated that the pumps have been tested and were placed into service on December 3, 2021. Mr. Harris stated that the District's operator reported that the small pump can usually keep up with the water demand and maintain pressure throughout the day, although the large pump is occasionally required to meet morning irrigation demands.

Mr. Harris stated that the two pumps were fitted with three modifications to prevent the damage from occurring again (1) an air release valve that will release air from the top of the vertical pump can; (2) a cooling water feed line for the pump bearing that was relocated to a point downstream of the pump's check valve to provide cooling water flow even if the pump is not pumping water; and (3) a flow switch on the pump discharge line that will turn the pump off if the pump is not pumping water.

Mr. Harris stated that EMS expects to complete the repairs to booster pumps 1 and 3 on December 21, 2021 and that Burke Mechanical will then reinstall pumps 1 and 3 by December 23, 2021. Mr. Harris stated that the testing of pumps 1 and 3 is not expected to occur until after Christmas.

Mr. Harris stated that WW Payton reviewed the costs of the repairs with JDC, the local distribution company for the booster pump manufacturer, and that they have offered the following: (1) JDC will cover the costs of shipping booster pumps 2 and 4 to and from the manufacturer's plant in Kansas City, Kansas; (2) JDC will cover the costs for Burke Mechanical to remove and reinstall all four booster pumps from the District's water plant; (3) WW Payton will cover EMS's cost to repair all four booster pumps in the total amount of \$39,981.29; and (4) WW Payton would be paid through a change order to their contract for the additional booster pump protection items listed above that have been installed on all four booster pumps for a total amount of \$10,000.00.

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.

WASTEWATER TREATMENT PLANT ("WWTP") FLOOD MITIGATION

Mr. Harris stated that IDS is preparing an updated Emergency Preparedness Plan ("EPP") using the Texas Commission on Environmental Quality's ("TCEQ") revised template in coordination with Si Enviro. He stated that IDS is planning to submit the updated EPP to the TCEQ in January 2022.

Mr. Harris then stated that IDS has reviewed the scope of the work for the WWTP Flood Mitigation project. Mr. Harris stated that the emergency generator will be replaced with a double wall belly tank that will provide greater diesel fuel storage and better sound insulation. Mr. Harris stated that IDS has identified additional flood mitigation improvements and age-related replacements at the WWTP and will present the scope of work and a cost estimate at the January 17, 2022 Board meeting.

WASTEWATER TREATMENT PLANT IMPROVEMENTS

Mr. Harris stated that Aerzen, the aeration blower manufacturer, repaired the third aeration blower, and it was placed back into service at the end of November. Mr. Harris reported that all three aeration blowers are now operational.

Mr. Harris stated that Si Enviro drained aeration basin no. 1 on December 7, 2021, and N&S Construction Company, L.P. ("N&S") has begun installation of the additional aeration piping and diffuser equipment. He stated that N&S expects to complete the aeration basin no. 1 installation the week of December 20, 2021 and will then coordinate a timeline with Si Enviro to place aeration basin no. 1 placed back into service. Mr. Harris stated that N&S will then drain aeration basin no. 2, with completion scheduled for mid-January 2022.

NON-POTABLE WATER SYSTEM

Mr. Harris stated that IDS has advertised for bids from three contractors to furnish and install the new non-potable water supply pumps and piping at the WWTP. Mr. Harris stated that IDS will present the bid tabulation at the January 2022 meeting and that he expected the bids to be under \$75,000.00

TCEQ WWTP DISCHARGE PERMIT RENEWAL FOR PERMIT TERM 2022-2027

Mr. Harris stated that IDS completed the TCEQ's renewal application for the District's WWTP Discharge Permit ("Discharge Permit") and submitted it to the TCEQ. He stated that the TCEQ requested that IDS revise the renewal application to request a major amendment to address the removal of the arsenic and copper limits in the Discharge Permit. Mr. Harris stated that IDS revised the renewal application and will submit it to the TCEQ the week of December 20, 2021.

OFFSITE LIFT STATION FLOOD MITIGATION

There was no discussion on this matter.

SANITARY SEWER REHABILITATION PROGRAM

Mr. Harris stated that Si Enviro has scheduled the cleaning and video inspection of Phase 5-C of the sanitary sewer rehabilitation program for January 2022.

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

There was no discussion on this matter.

DISTRICT CAPITAL IMPROVEMENT PLAN ("CIP") BUDGET UPDATE

There was no discussion on this matter.

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.

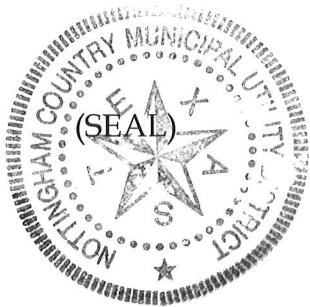
Mr. Harris stated that IDS continues to prepare an updated status report of the District's facilities and capital projects for the District's website.

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

MEETING SCHEDULE

After review and discussion, the Board concurred to hold its next regular meeting on January 17, 2022, at 11:30 a.m., 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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