

MINUTES
NOTTINGHAM COUNTRY MUNICIPAL UTILITY DISTRICT

October 17, 2022

The Board of Directors (the "Board") of Nottingham Country Municipal Utility District (the "District") met in regular session, open to the public, on the 17th day of October, 2022, 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 Director Skelton, thus constituting a quorum.

Also attending the meeting were Darrell Hawthorne of Municipal Accounts & Consulting, L.P.; Kelley Jurecek of Tax Tech, Inc.; Brian Bare and Kyle Donham of Si Environmental, LLC; Teague Harris and Vernon Webb of IDS Engineering Group ("IDS"); Stephanie Lee of KGA/DeForest Design, LLC ("KGA"); Jacob Van Sant of Van Sant Landscaping ("Van Sant"); and Christina Miller, Erin Mitchell, Duggan Baker, and Caroline Jones of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENT

Director Hudson offered any members of the public attending the meeting 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 19, 2022. Following review and discussion, Director Wiggins moved to approve the minutes of the September 19, 2022 regular meeting, as written. Director Moon seconded the motion, which passed unanimously.

WEST HARRIS COUNTY REGIONAL WATER AUTHORITY MATTERS

The Board received a Notice ("Notice") of Anticipated Fees from the West Harris County Regional Water Authority regarding anticipated fees for the Groundwater Reduction Plan Fee that will increase from \$3.70 per 1,000 gallons of groundwater pumped to an amount not to exceed \$3.95 per 1,000 gallons of groundwater pumped and

the Surface Water Fee that will increase from \$4.10 per 1,000 gallons of water delivered to an amount not to exceed \$4.35 per 1,000 gallons of water delivered to become effective on January 1, 2023. A copy of the Notice is attached.

FINANCIAL AND BOOKKEEPING MATTERS

Mr. Hawthorne presented and reviewed the bookkeeper's report, including the budget comparison, schedule of investments, quarterly investment report, certificates of deposit expired and renewed, and checks presented for approval. Discussion ensued regarding interest rates on the District's investment accounts. Following review and discussion, Director Brown moved to approve the bookkeeper's report and authorize payment of the bills. Director Wiggins 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 99.16% of the 2021 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 Wiggins seconded the motion, which passed unanimously.

2022 TAX RATE

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 2022 total tax rate of \$0.275.

Director Hudson opened the public hearing. There being no comments from the public, Director Hudson closed the public hearing.

Ms. Mitchell presented an Order Levying Taxes reflecting the proposed 2022 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 (the "County").

After review and discussion, Director Brown moved to (1) adopt the Order Levying Taxes reflecting a total 2022 tax rate of \$0.275 per \$100 of assessed valuation, with all \$0.275 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 Wiggins seconded the motion, which passed by unanimous vote.

OPERATION OF DISTRICT FACILITIES

Mr. Bare introduced Mr. Donham to the Board. Mr. Bare stated that he will be retiring at the end of 2022.

Mr. Bare then reviewed the operations report, a copy of which is attached. He generally reviewed operations and maintenance for the month. Mr. Bare reported 95.24% accountability for the prior month. He reported that there were no violations at the wastewater treatment plant and no new connections.

CUSTOMER CORRESPONDENCE

There was no discussion regarding this matter.

ANNUAL INSPECTION FOR SYSTEM-WIDE LEAK DETECTION

There was no discussion regarding this matter.

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

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 Wiggins 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 construction of the Water Plant and Well No. 1 Flood Mitigation Project and reported on the operation of the pumps at the water plant, as more fully described in the engineer's report.

Mr. Harris stated that CenterPoint Electricity expects to correct a leaning electric pole at the water plant by the end of 2022.

WELL NO. 2 FLOOD MITIGATION

Mr. Harris stated that the conceptual construction cost to replace/convert the well's electrical equipment from 2300 volt to 460 volt is currently estimated at \$700,000.00.

WELL NO. 3 FLOOD MITIGATION

Mr. Harris stated that the conceptual cost for the proposed Well No. 3 Flood Mitigation project is \$700,000.00 and that IDS is preparing an engineering proposal for the project.

Mr. Harris reported that the Texas Commission on Environmental Quality ("TCEQ") has written up vegetation in George Bush Park that requires removal because it is growing on or adjacent to the Water Plant and Well No. 3 fences, which is a TCEQ violation. Mr. Harris stated that IDS contacted the United States Army Corps of Engineers (the "Corps") regarding the matter. Mr. Harris stated that IDS will schedule a site visit, and based upon that visit, a written agreement might be necessary between the District and the Corps for ongoing maintenance of the area.

WASTEWATER TREATMENT PLANT ("WWTP") FLOOD MITIGATION

Mr. Harris stated that IDS began advertising for bids on September 29, 2022, and at the request of some of the bidders, IDS issued an addendum to extend the bid opening date to October 27, 2022.

WASTEWATER TREATMENT PLANT IMPROVEMENTS

Mr. Harris had no updates regarding this agenda matter.

NON-POTABLE WATER SYSTEM

Mr. Harris had no updates regarding this agenda matter.

TCEQ WWTP DISCHARGE PERMIT RENEWAL FOR PERMIT TERM 2022-2027

Mr. Harris stated that the TCEQ indicated that the staff has recommended issuance of the renewed permit and offered a third opportunity for the public to object.

OFFSITE LIFT STATION FLOOD MITIGATION

There was no discussion on this matter.

SANITARY SEWER REHABILITATION PROGRAM

Mr. Harris stated that IDS completed the review of the Phase 5-C cleaning and inspection video files and recommended repairs and that 16 minor repairs will undergo further review in order to propose recommended repairs.

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

Mr. Harris stated that Salad and Go executed the Utility Commitment Letter and IDS issued a site development review letter. Mr. Harris stated that IDS has received the developer's engineer's revised plans for review.

HARRIS COUNTY PRECINCT 4 IMPROVEMENT PROJECTS ("IMPROVEMENT PROJECTS")

Mr. Harris stated that Harris County Precinct No. 4 ("Precinct 4") is waiting for the County's Attorney's office to prepare a draft interlocal agreement between the District and the County for the Improvement Projects.

DISTRICT CAPITAL IMPROVEMENT PLAN ("CIP") BUDGET UPDATE

Mr. Harris presented and reviewed an updated CIP project list, costs, and estimated cash flow for inclusion into the bookkeeper's reports and the annual budget.

GEOGRAPHIC INFORMATION SYSTEM

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.

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

GREENBELT PARK AND GREENBELT NORWALK

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

LANDSCAPE MAINTENANCE REPORT

Mr. Van Sant reviewed a Park Maintenance Report from Van Sant, a copy of which is attached, and updated the Board regarding ongoing park maintenance. Director Brown requested the Board's approval to amend Van Sant's monthly fee for landscape maintenance in the amount of \$175.00 to maintain five new dog waste stations in the Greenbelts. Following review and discussion, Director Brown moved to amend Van Sant's monthly fee from \$11,461.00 per month to \$11,636.00 per month, subject to the board's receipt, and ABHR's finalization of an amended Exhibit A to the Amended and Restated Service Agreement ("Service Agreement") between the District and Van Sant, dated December 20, 2021. Director Wiggins seconded the motion, which passed unanimously. The Board requested an Exhibit B to the Service Agreement for consideration at the November Board meeting.

REQUEST FOR PROPOSALS AND SERVICE AGREEMENT FOR ONGOING PARK MAINTENANCE

There was no discussion on this matter.

LONG-TERM PARK AND RECREATIONAL FACILITY PLANNING MATTERS

There was no discussion on this matter.

PARK USE AGREEMENTS

There was no discussion on this matter.

LANDSCAPE ARCHITECT'S REPORT

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

Ms. Lee updated the Board regarding the Improvement Projects and stated that KGA submitted the two Sidewalk Request Forms and related exhibits and cost estimates to Chris Saldana of Precinct 4 on October 5, 2022.

Ms. Lee updated the Board regarding the Greenbelt Park Trail Lighting Replacement project and stated that she is coordinating a final walk-through with Directors Moon and Brown.

PUBLIC POWER POOL ("PPP") TECHNICAL COMMITTEE

Director Hudson updated the Board regarding PPP contract negotiations and noted that the new contract will begin on January 1, 2023, for a three-year term.

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.

MEETING SCHEDULE

After review and discussion, the Board concurred to hold its next regular meeting on November 28, 2022, at 11:30 a.m., at the offices of ABHR.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE, TO SEEK THE ADVICE OF ITS ATTORNEY REGARDING PENDING OR CONTEMPLATED LITIGATION OR TO SEEK AND RECEIVE LEGAL ADVICE BY THE DISTRICT'S ATTORNEY

The Board convened in executive session at 12:12 p.m. pursuant to Section 551.071, Texas Government Code.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION REGARDING PENDING OR CONTEMPLATED LITIGATION OR THE LEGAL ADVICE BY THE DISTRICT'S ATTORNEY

The Board reconvened in open session at 1:04 p.m. Director Brown moved to authorize Mr. Harris to contact W.W. Payton Corporation regarding the potential repair/replacement of four Pentair pump assemblies under maintenance bond and the potential issuance of a new one-year warranty regarding the same. Director Wiggins seconded the motion, which passed unanimously.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE, TO SEEK THE ADVICE OF ITS ATTORNEY REGARDING PENDING OR CONTEMPLATED LITIGATION OR TO SEEK AND RECEIVE LEGAL ADVICE BY THE DISTRICT'S ATTORNEY

The Board convened in executive session at 1:07 p.m. pursuant to Section 551.071, Texas Government Code.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION REGARDING PENDING OR CONTEMPLATED LITIGATION OR THE LEGAL ADVICE BY THE DISTRICT'S ATTORNEY

The Board reconvened in open session at 1:14 p.m. Director Wiggins moved to approve a legal services engagement letter with Feldman & Feldman, and direct that the legal services engagement letter be filed appropriately and retained in the District's official records. Director Brown seconded the motion, which passed unanimously.

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


Secretary, Board of Directors



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