

MINUTES
NOTTINGHAM COUNTRY MUNICIPAL UTILITY DISTRICT

February 20, 2023

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 February, 2023, 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 Moon, thus constituting a quorum.

Also attending the meeting in person or by telephone were Darrell Hawthorne of Municipal Accounts & Consulting, L.P.; Kelley Jurecek of Tax Tech, Inc.; Kyle Donham of Si Environmental, LLC ("Si"); Teague Harris and Vernon Webb of IDS Engineering Group ("IDS"); Jacob Van Sant of Van Sant Landscaping ("Van Sant"); and 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 January 16, 2023. Following review and discussion, Director Brown moved to approve the minutes of the January 16, 2023 regular meeting, as presented. Director Skelton seconded the motion, which passed unanimously.

WEST HARRIS COUNTY REGIONAL WATER AUTHORITY MATTERS

There was no discussion on this matter.

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.

ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD")

The Board discussed the AWBD winter conference and reviewed expenses of the Board members who attended the conference. Mr. Baker stated that the AWBD summer conference will be held in Corpus Christi, Texas from June 22 - 24, 2023. The Board then considered authorizing attendance at the AWBD summer conference.

Following review and discussion, Director Brown moved to (1) approve the bookkeeper's report; (2) authorize payment of the bills; and (3) approve reimbursement of eligible expenses for the winter conference and authorize all interested directors to attend the AWBD summer conference. 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 93.33% of the 2022 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 Skelton seconded the motion, which passed unanimously.

RESOLUTION CONCERNING EXEMPTIONS FROM TAXATION

The Board considered adopting a Resolution Concerning Exemptions from Taxation. Mr. Baker reviewed the provisions of the proposed Resolution, which includes the rejection of the general homestead exemption, and grant of a homestead exemption of \$75,000 to persons 65 years of age or older and disabled persons. After discussion, Director Skelton moved to adopt the Resolution Concerning Exemptions from Taxation as presented and direct that the Resolution be filed appropriately and retained in the District's official records. Director Wiggins seconded the motion, which was approved by unanimous vote.

OPERATION OF DISTRICT FACILITIES

Mr. Donham reviewed the operations report, a copy of which is attached. He generally reviewed operations and maintenance for the month. Mr. Donham reported

95.75% water accountability for the prior month. Mr. Donham reported that there were no violations at the wastewater treatment plant and no new connections.

Mr. Donham notified the Board that Si would begin flushing the District's water lines during the week of February 20, 2023. Discussion ensued regarding flushing the District's water lines and notification to the District's customers concerning the same. The Board directed Si to defer flushing the District's water lines until adequate notice had been given to the District's residents. Director Wiggins stated that he will ask Classic Messaging to send notifications to the District's customers regarding the same prior to flushing and that he will ask The Texas Network to post notice of flushing on the District's website.

Mr. Donham reported on the Annual Identity Theft Protection Program Report and stated that the District is in compliance with the program. A copy of the Annual Identity Theft Protection Program Report is attached to the operator's report.

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 (1) approve the operator's report; (2) direct Si to defer flushing the District's water lines until adequate notice has been given to the District's residents and authorize Director Wiggins to contact Classic Messaging and the Texas Network to request notification of water line flushing; and (3) approve the Annual Identity Theft Protection Program Report. Director Skelton seconded the motion, which passed unanimously.

CONDUCT HEARING ON TERMINATION OF WATER SERVICE

Mr. Donham 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.

RESOLUTION DECLARING SURPLUS PROPERTY

There was no discussion regarding this agenda matter.

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 noted that Booster Pumps 1, 3, and 4 repaired by W.W. Payton Corporation ("W.W. Payton") were now operating within specified tolerances. Mr. Baker noted that the one-year warranty on the Water Plant and Well No. 1 Flood Mitigation project given by W.W. Payton would expire on February 21, 2023 except with respect to the booster pump assemblies. Discussion ensued. Mr. Harris recommended amending the District's letter agreement with W.W. Payton dated October 31, 2022 to include coverage of electric motors under the extended warranty granted by W.W. Payton thereunder.

Mr. Harris stated that IDS is working with the District's operator and Neil Technical Services to perform some recommended improvements to increase resistance to hard freezes and that he will review IDS's recommendations with the Operations Committee and will update the Board at the March meeting.

WASTEWATER TREATMENT PLANT ("WWTP") IMPROVEMENTS

There was no discussion on this matter.

SANITARY SEWER REHABILITATION PROGRAM

Mr. Harris stated that IDS discussed the sanitary sewer inspections with the District's operator. Mr. Harris stated that the existing concrete sanitary sewer lines are starting to show some exposed aggregate due to long term corrosion from sewer gases within the system. He stated that IDS is preparing a construction cost estimate and an engineering proposal for the Phase 5-C Sanitary Sewer Rehabilitation project.

DISTRICT CAPITAL IMPROVEMENT PLAN ("CIP") BUDGET UPDATE

Mr. Harris stated that IDS is preparing an updated Capital Improvement Plan that lists the projected projects and estimated annual cash flows.

GEOGRAPHIC INFORMATION SYSTEM “(GIS)”

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.

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

There was no discussion on this matter.

WWTP FLOOD MITIGATION

Mr. Harris updated the Board regarding the WWTP Harvey Mitigation project and presented and reviewed Change Order No. 1 to the contract with District and McDonald Municipal and Industrial (“DMMI”) for the removal of the existing generator, placing the new generator in service, and additional days to perform the work to increase the contract in the amount of \$22,000.00 and to add 171 days to the contract. After review and discussion, and based on the engineer’s recommendation, the Board determined that Change Order No. 1 is beneficial to the District.

Mr. Harris stated that the City of Magnolia has expressed an interest in purchasing the existing generator and would schedule a site visit.

WELL NO. 2 FLOOD MITIGATION

Mr. Harris stated that IDS began the design of the project.

WELL NO. 3 FLOOD MITIGATION

Mr. Harris stated that IDS is preparing an engineering proposal for the raising of the electrical and control panel equipment within the motor control building, the installation of a raised walkway and stairs to access to the equipment, and the raising of the electrical service entrance.

OFFSITE LIFT STATION FLOOD MITIGATION

There was no discussion on this matter.

HARRIS COUNTY PRECINCT 4 ROADWAY AND TRAIL IMPROVEMENT PROJECTS (THE "IMPROVEMENT PROJECTS")

Mr. Harris stated that IDS provided comments to ABHR regarding a draft agreement from Harris County (the "County") for the Improvement Projects. Mr. Harris stated that, as revised, the draft agreement provides that the County will (1) pay all District costs to relocate a sanitary sewer manhole and install a liner in the affected section of sanitary sewer trunk line; and (2) include conditions in the County's construction contract to preserve and protect the mature trees located near the proposed left turn lane.

Mr. Harris then stated that IDS is reviewing the County's construction plans to identify any conflicts with the District's utility lines for the County's proposed signal improvements at Highland Knolls Drive and Westgreen Boulevard.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ("TCEQ") WATER PLANT AND WELL NO. 3 SITE INSPECTION

Mr. Harris stated that the U.S. Army Corps of Engineers (the "Corps") received IDS's letter requesting the Corp's permission to clear and maintain a ten-foot-wide mow strip within Barker Reservoir and that the Corps is circulating the letter request for execution. Mr. Harris stated that IDS will solicit bids to clear vegetation and debris for the mow strip. Mr. Harris added that Van Sant will be on the list of bidders for the project.

TCEQ WWTP DISCHARGE PERMIT RENEWAL FOR PERMIT TERM 2022-2027

Mr. Harris confirmed that the WWTP Discharge Permit has been renewed and that it will expire on November 21, 2027.

DETENTION POND MAINTENANCE MATTERS

There was no discussion on this matter.

Mr. Harris discussed the Environmental Protection Agency's ("EPA") Amended Lead and Copper Rules for public water systems. Mr. Harris estimated that there are 406 meter tap/services lines that will need inspection in the District. Mr. Harris requested the Board's authorization to prepare an inventory of tap/service lines. Mr. Harris stated that the inventory must be completed and submitted to the TCEQ by October 24, 2023.

Mr. Harris stated that IDS is waiting for the TCEQ's review and approval of the District's Emergency Preparedness Plan.

Following review and discussion, Director Wiggins moved to (1) approve the engineer's report; (2) approve Change Order No. 1 in the amount of \$22,000.00 as an increase to the contract with DMMI and to add 171 days to the contract, based upon the Board's finding that the Change Order is beneficial to the District and the engineer's recommendation; (3) authorize IDS to begin the inventory process for the EPA's Amended Lead and Copper Rules; and (4) authorize ABHR and IDS to draft an amendment to the letter agreement between the District and W.W. Payton, as discussed. Director Brown seconded the motion, which passed unanimously.

GREENBELT PARK AND GREENBELT NORWALK

LANDSCAPE MAINTENANCE REPORT

Director Brown generally reported on matters related to the Greenbelts.

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.

PROPOSALS FOR ADDITIONAL PARK MAINTENANCE

There was no discussion on this matter.

PARK USE AGREEMENTS

There was no discussion on this matter.

LONG-TERM PARK AND RECREATIONAL FACILITY PLANNING MATTERS

Director Wiggins discussed matters regarding long-term park planning matters. Board discussion ensued.

LANDSCAPE ARCHITECT'S REPORT

The Board received the Landscape Architect's report, a copy of which is attached. Director Brown stated that KGA/DeForest Design, LLC is finalizing the design of Fitness Station Amenity Enhancements.

PUBLIC POWER POOL ("PPP") TECHNICAL COMMITTEE

Director Hudson updated the Board regarding PPP contract negotiations.

EMERGENCY NOTIFICATION SYSTEM

There was no further 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 March 20, 2023, 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 did not convene in executive session.

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


Secretary, Board of Directors



LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Bookkeeper's Report.....	2
Tax Assessor/Collector's Report	2
Operations Report.....	2
Engineer's Report.....	4
Park Maintenance Report	7
Landscape Architect's Report	7