

MINUTES
NOTTINGHAM COUNTRY MUNICIPAL UTILITY DISTRICT

March 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 March, 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, thus constituting a quorum.

Also attending the meeting in person or by telephone were Vanessa Herrera 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"); Stephanie Lee of KGA/DeForest Design ("KGA"); 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 February 20, 2023. Following review and discussion, Director Skelton moved to approve the minutes of the February 20, 2023 regular meeting, as presented. Director Wiggins seconded the motion, which passed unanimously.

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

There was no discussion on this matter.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Herrera 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. Following review and discussion, Director Wiggins moved to (1) approve the bookkeeper's report; and (2) authorize payment of the bills. Director Skelton 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 95.35% of the 2022 taxes have been collected as of the meeting date. After review and discussion, Director Wiggins 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.

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 98.35% 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 reported on a utility line break made by CenterPoint Energy. Discussion ensued. Director Wiggins requested that Si and ABHR coordinate to determine total losses to the District and issue an invoice for such losses to CenterPoint Energy.

Discussion ensued regarding high water usage, specifically irrigation in Greenbelt Park and Greenbelt Norwalk. Director Brown asked Mr. Donham to prepare a twelve-month history of water usage for each meter in the District's parks and include the information in future operations reports.

Discussion ensued regarding Si's reported charges for February. The Board requested itemized breakdowns for any operations charges presented by Si for amounts greater than \$5,000.00 in all future operations reports.

CUSTOMER CORRESPONDENCE

There was no discussion regarding this matter.

ANNUAL INSPECTION FOR SYSTEM-WIDE LEAK DETECTION

There was no discussion regarding this matter.

REVIEW CRITICAL LOAD SPREADSHEET FOR DISTRICT'S FACILITIES AND AUTHORIZE ANNUAL FILING

Mr. Baker stated that the District is required to report its critical load facilities annually to the Harris County Emergency Management Coordinator, the Public Utility Commission of Texas, the Division of Emergency Management of the Governor's office, the District's retail electric provider, and the District's transmission and distribution utility company. He then stated that the District's engineer, bookkeeper, and operator were given the District's Critical Load Spreadsheet (the "Spreadsheet") for review prior to the meeting. Mr. Harris recommended an update to the contact information for IDS.

ANNUAL REVIEW OF DROUGHT CONTINGENCY PLAN

Mr. Baker discussed the District's Drought Contingency Plan ("DCP") and stated that no changes are recommended at this time. The Board asked ABHR to add the DCP to the District's website.

After review and discussion, Director Brown moved to (1) approve the operator's report; and (2) approve the Spreadsheet as discussed, authorize ABHR to file the Spreadsheet with the Harris County Emergency Management Coordinator, the Public Utility Commission of Texas, the Division of Emergency Management of the Governor's office, the District's retail electric provider, and the District's transmission and distribution utility company; and direct that the Spreadsheet be filed appropriately and retained in the District's official records. 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 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.

RESOLUTION DECLARING SURPLUS PROPERTY

There was no discussion regarding this agenda matter.

WATER PLANT AND WELL NO. 1 FLOOD MITIGATION

Mr. Harris stated that all booster pumps are installed and operating. He stated that the larger booster pumps, nos. 3 and 4, are being called to operate more often with the increased seasonal water demand. Mr. Harris stated that IDS will schedule a follow up vibration test on all pumps in October, 2023. Mr. Harris stated that Neil Technical Services ("NTS") has adjusted the booster pump controls to prevent the two smaller pumps from pumping against the two larger pumps as an extra precaution since a small pump that tries to pump against a large pump may develop increased vibration. Mr. Harris stated that W.W. Payton has executed the extended warranty to include the motors as part of the booster pump assemblies.

Mr. Harris stated that IDS continues to work with the District's operator and NTS to perform some recommended improvements to increase resistance to hard freezes.

Mr. Harris stated that a sound protection box at well no. 2 will be removed to change out equipment for the well motor, and he recommended a video inspection of the well. Discussion ensued regarding video inspections of well no. 2. Mr. Harris stated that IDS will investigate the matter and present its findings at the April Board meeting.

WASTEWATER TREATMENT PLANT ("WWTP") IMPROVEMENTS

Mr. Harris stated that the operator has requested that the Board consider extending the paved driveway to clarifier no. 2. Mr. Harris stated that IDS will develop a preliminary pavement layout and cost estimate for the driveway extension and pavement widening near the entry gate at the WWTP.

Mr. Harris suggested that the Board reconsider a wastewater reuse system and consider authorizing an updated feasibility report for the use of such reuse system to fill the amenity lake and irrigate certain areas in the District, among other purposes, due to the significant increase in the Authority's pumpage fees and the increased subsidies offered by the Authority to encourage wastewater reuse. He stated that in the past a wastewater reuse system was not feasible from a financial standpoint. Discussion ensued.

SANITARY SEWER REHABILITATION PROGRAM

Mr. Harris discussed the Phase 5-C Sanitary Sewer Rehabilitation (“Sewer Rehabilitation”) project and the estimated cost for the project. Mr. Harris stated that the District’s 18-inch and 24-inch sewer lines are made of reinforced concrete pipe and that these pipes are showing some exposed aggregate due to long term corrosion from sewer gases. Mr. Harris stated that IDS is preparing construction cost and engineering estimates for lining the 18-inch and the 24-inch sewer lines with a cured in place epoxy resin for the April Board meeting.

DISTRICT CAPITAL IMPROVEMENT PLAN (“CIP”) BUDGET UPDATE

There were no updates regarding this agenda matter.

GEOGRAPHIC INFORMATION SYSTEM

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 Harvey Mitigation of Wastewater Treatment Plant Motor Control Center project. Mr. Harris reviewed the status of the project. Mr. Harris presented and reviewed Change Order No. 2 to the contract with District and McDonald Municipal and Industrial (“DMMI”) for the addition of temporary lighting of the existing motor control center during construction and the replacement of the main electrical service breaker, automatic transfer switch, and steel enclosure to increase the contract in the amount of \$60,103.00. After review and discussion, and based on the engineer’s recommendation, the Board determined that Change Order No. 2 is beneficial to the District.

WELL NO. 2 FLOOD MITIGATION

Mr. Harris stated that the project is in design.

WELL NO. 3 FLOOD MITIGATION

Mr. Harris stated that IDS is preparing an engineering proposal for the raising of the electrical and control panels equipment within the motor control building, the installation of a raised walkway and stairs for the operator's 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 reviewed Harris County's specifications for tree protection and trimming while the Improvement Projects are under construction. Mr. Harris stated that IDS provided comments to ABHR for the revised draft of the Interlocal Agreement between the District and Harris County Precinct 4.

WATER LINE INVENTORY PURSUANT TO ENVIRONMENTAL PROTECTION AGENCY'S ("EPA") REVISED LEAD AND COPPER RULE

Mr. Harris stated that IDS is working with the operator to prepare a tap and service line inventory for the EPA's Lead and Copper Rule Revisions. Mr. Harris stated that the EPA extended the deadline for the inventory from October 16, 2023 to October 16, 2024.

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

Mr. Harris stated that IDS will solicit bids to clear vegetation and debris for the mow strip and that Van Sant will be on the list of bidders for the project.

TCEQ WWTP DISCHARGE PERMIT ("PERMIT") FOR PERMIT TERM 2022-2027

Mr. Harris updated the Board regarding the Permit.

EMERGENCY INTERCONNECT AGREEMENT ("AGREEMENT") WITH HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 81 ("HC MUD 81")

Mr. Harris discussed the proposed renewal of the Emergency Water Interconnect Agreement between the District and HC MUD 81 and stated that

adjacent construction and water line modifications have occurred over time that will require updates to the Agreement's Exhibit A.

Discussion ensued regarding the District's Emergency Water Interconnect Agreements ("Agreements") with Mason Creek Utility District ("MCUD") and Memorial Municipal Utility District ("Memorial MUD") regarding those districts' receipt of water from regional water authorities besides the Authority. Mr. Harris stated that he will investigate which water authority MCUD and Memorial MUD are in. Director Wiggins asked Mr. Harris to investigate the possibility of installing automatic valves on the interconnects. Mr. Harris confirmed that IDS is coordinating the preparation of the Agreements' exhibits with the engineers and operators for all three districts.

SECURITY MONITORING EQUIPMENT AT PLANT AND WELL SITES

Mr. Harris stated that IDS is coordinating with the District's security monitoring firm, Today's Integration, Inc. ("Today's Integration"), regarding the temporary relocation and continued monitoring at the WWTP and well nos. 2 and 3. Mr. Harris reported that Today's Integration recommended that the Board consider an upgrade to current security monitoring technology at the facilities within the next twelve to fifteen months.

Following review and discussion, Director Brown moved to (1) approve the engineer's report; (2) authorize IDS to perform a feasibility study for a water reuse system; and (3) approve Change Order No. 2 in the amount of \$60,103.00 as an increase to the contract with DMMI, based upon the Board's finding that the Change Order is beneficial to the District and the engineer's recommendation. Director Wiggins seconded the motion, which passed unanimously.

EMERGENCY PREPAREDNESS PLAN ("EPP")

Mr. Harris stated that IDS continues to wait for the TCEQ's review and approval of the EPP. Mr. Baker reviewed the EPP with the Board and noted that no additional changes were required pending the TCEQ's review of the EPP.

GREENBELT PARK AND GREENBELT NORWALK ("THE GREENBELTS")

LANDSCAPE MAINTENANCE REPORT

Director Brown generally reported on matters related to the Greenbelts.

Director Brown reviewed a Park Maintenance Report from Van Sant, a copy of which is attached, and updated the Board regarding ongoing park maintenance. Director Wiggins asked Director Brown to verify with Van Sant matters regarding the weed-and-feed turf builder and possible damage to live oak trees.

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

There was no discussion on this matter.

LANDSCAPE ARCHITECT'S REPORT

Ms. Lee presented and reviewed the Landscape Architect's report, a copy of which is attached. Ms. Lee stated that the Fitness Station Amenity Enhancements project is being advertised for bids and that she will present the bids to the Board at the April meeting.

PUBLIC POWER POOL ("PPP") TECHNICAL COMMITTEE

Director Hudson updated the Board regarding PPP matters.

UPDATE REGARDING COMPLIANCE WITH ELECTRICITY CONSUMPTION REPORTING REQUIREMENTS

Mr. Baker stated that pursuant to Section 388.005 of the Texas Health and Safety Code requires at least once every five years that the district shall (1) evaluate the consumption of electricity; (2) establish goals to reduce the consumption of electricity, and (3) identify and implement cost-effective efficient measures to reduce the consumption of electricity. Mr. Baker stated that the next report will be due in October 2024.

EMERGENCY NOTIFICATION SYSTEM

There was no further discussion on this matter.

DISTRICT TECHNOLOGY AND INFORMATION MANAGEMENT MATTERS, INCLUDING ANNUAL CYBERSECURITY TRAINING

Mr. Baker presented a memorandum regarding legislation enacted by the Texas Legislature regarding annual cybersecurity training requirements for certain local government employees and elected officials. He said the Board members must select a training program that is certified by the Texas Department of Information Resources.

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 April 17, 2023, 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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