

MINUTES
NOTTINGHAM COUNTRY MUNICIPAL UTILITY DISTRICT

August 21, 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 21st day of August, 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 were Zeinab Zahid of ZKZ Law PLLC; Kayla Crigger of Municipal Accounts & Consulting, L.P. ("MAC"); Kelley Jurecek of Tax Tech, Inc.; Kyle Donham and Corey Andujar of Si Environmental, LLC; Vernon Webb of IDS Engineering Group ("IDS"); Jacob Van Sant of Van Sant Landscape Management ("Van Sant"); Stephanie Lee of KGA/DeForest Design ("KGA"); and Duggan Baker and Kathryn Blanton of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENT

Ms. Zahid introduced herself as legal counsel for a resident of the District. She discussed claims regarding her client's driveway. The Board concurred to further discuss the matter during the operations report.

MINUTES OF PRIOR MEETING

The Board considered approval of the minutes of the District's regular meeting held on July 17, 2023. Following review and discussion by the Board, Director Brown moved to approve the minutes of the July 17, 2023 regular meeting, as discussed. Director Wiggins seconded the motion, which passed unanimously.

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

The Board received a Notice of Stage 1 Drought Conditions from the Authority, a copy of which is attached. Mr. Baker stated that the Authority has triggered Stage 1 of its Drought Contingency Plan and is requesting that all water users voluntarily reduce

their water usage immediately. He added that the Authority will continue to monitor water use and will provide another notice if the drought stage changes or if Stage 1 drought conditions have been lifted. Following discussion, Director Brown moved to post Notice of Stage 1 Drought Conditions from the Authority on the District's website. Director Wiggins, seconded the motion which passed unanimously.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Crigger presented and reviewed the bookkeeper's report, including the budget comparison, schedule of investments, certificates of deposit expired and renewed, and checks presented for approval.

BUDGET FOR FISCAL YEAR END SEPTEMBER 30, 2024

Ms. Crigger presented the attached proposed budget for fiscal year ending September 30, 2024. She stated that MAC is coordinating with the District's consultants to confirm the proposed budgeted costs and that she will present a budget for the Board's approval at the September meeting.

After review and discussion, Director Brown moved to (1) approve the bookkeeper's report; and (2) 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 98.78% 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 Brown seconded the motion, which passed unanimously.

2023 TAX RATE

This agenda item was deferred until the September meeting.

OPERATION OF DISTRICT FACILITIES

Mr. Donham introduced Mr. Andujar as the new account manager for the District.

Mr. Andujar reviewed the operations report, a copy of which is attached. He generally reviewed operations and maintenance for the month. Mr. Andujar reported 93.74% water accountability for the prior month. He reported that there were no violations at the wastewater treatment plant and no new commercial connections.

Mr. Andujar presented a proposal in the amount of \$4,375.00 for the removal and installation of a double swing gate located at 2039 Botany Bay Lane, submitted by Allied Utility Construction, LLC (“Allied”), a copy of which is attached to the operations report.

Mr. Andujar then presented a proposal in the amount of \$5,033.63 for an axial ventilator, submitted by Aerzen USA Corporation (“Aerzen”), a copy of which is attached to the operations report.

Director Brown requested information regarding an invoice received from Van Sant in the amount of \$46,356.00 for removal of vegetation along fences at the District’s Water Plant and Well No. 3 (the “Mow Strip”). Mr. Webb stated that the maintenance noted in the invoice was approved at the July 17, 2023, meeting. Discussion ensued, and Mr. Webb stated that IDS will coordinate with Van Sant to obtain a quote for periodic mowing and maintenance of the Mow Strip to be presented at the September meeting.

CUSTOMER CORRESPONDENCE

Discussion ensued regarding the status of a resident’s request to repair a driveway. Mr. Baker reviewed the warranty on the portion of the driveway in question. He stated that Si provided a warranty that was valid for one year, which has since lapsed. Director Brown moved to further discuss the issue during executive session. Director Wiggins seconded the motion, which passed unanimously.

ANNUAL INSPECTION FOR SYSTEM-WIDE LEAK DETECTION

Mr. Andujar reported that the leak detection survey and hydrant inspections for 281 fire hydrants has been completed. He stated that Si replaced multiple fire hydrants in the amount of \$59,576.44.

Following review and discussion, Director Brown moved to (1) approve the operator’s report; (2) approve the proposal in the amount of \$4,375.00 for the removal and installation of a double swing gate, submitted by Allied; and (3) and approve the proposal in the amount of \$5,033.63 for an axial ventilator, submitted by Aerzen. Director Wiggins seconded the motion, which passed unanimously.

CONDUCT HEARING ON TERMINATION OF WATER SERVICE

Mr. Andujar 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

Mr. Webb reviewed the engineer's report, a copy of which is attached.

WATER PLANT AND WELL NO. 1 FLOOD MITIGATION

Mr. Webb stated that IDS will schedule a vibration test on the four booster pumps in October 2023 to determine if the pumps were continuing to operate within specified tolerances. Mr. Webb reminded the Board that the extended warranty on the pump assemblies runs through February 21, 2024.

WASTEWATER TREATMENT PLANT ("WWTP") IMPROVEMENTS

Mr. Webb stated that the driveway improvement project at the WWTP is in design.

SANITARY SEWER REHABILITATION PROGRAM ("REHABILITATION PROGRAM")

Mr. Webb stated that per the discussion with the Operations Committee on July 14, 2023, the next phase of the sanitary cleaning and televising, Phase 1D will be postponed. He stated that the funds for the Rehabilitation Program will be re-allocated to the large diameter sanitary sewer rehabilitation.

DISTRICT CAPITAL IMPROVEMENT PLAN ("CIP") BUDGET UPDATE

Mr. Webb presented and discussed a revised CIP for the Board's consideration, a copy of which is attached to the engineer's report.

Mr. Baker provided an update regarding the District's application to Precinct 4's Places 4 People: 2023 Call for Projects. He reported that the District's application for costs towards its proposed well no. 3 flood mitigation project was rejected but the District's application for costs towards its proposed trail improvements was accepted. Mr. Webb stated because Precinct 4 declined to contribute funds towards the well no. 3 flood mitigation project, IDS will provide an updated construction cost estimate combining the well no. 2 and no. 3 flood mitigation projects.

GEOGRAPHIC INFORMATION SYSTEM

There were no updates regarding this agenda matter.

PROPOSALS FOR REHABILITATION OF 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.

UPDATE ON FACILITY ASSESSMENT TO EVALUATE IMPLEMENTATION OF FLOOD MITIGATION MEASURES

WWTP FLOOD MITIGATION

Mr. Webb updated the Board regarding construction of the WWTP Flood Mitigation project and reviewed and recommended approval of Pay Estimate No. 7 in the amount of \$62,250.00, payable to District and McDonald Municipal and Industrial ("DMMI").

WELL NO. 2 FLOOD MITIGATION

Mr. Webb stated that the plans are 90% complete.

WELL NO. 3 FLOOD MITIGATION

There was no further discussion regarding this matter.

OFFSITE LIFT STATION FLOOD MITIGATION

There was no discussion on this matter.

HARRIS COUNTY PRECINCT 4 ROADWAY AND TRAIL IMPROVEMENT PROJECTS

There was no discussion on this matter.

EMERGENCY INTERCONNECT AGREEMENTS WITH HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 81 ("HARRIS MUD 81") AND MEMORIAL MUNICIPAL UTILITY DISTRICT ("MEMORIAL MUD")

Mr. Webb stated that IDS provided revised exhibits to ABHR for the Interconnect Agreements with Harris MUD 81 and Memorial MUD in coordination with the District engineers and operators. Mr. Baker stated that draft Interconnect Agreements had been distributed to the attorneys for Harris MUD 81 Memorial MUD for review.

HARRIS COUNTY PUBLIC HEALTH SERVICES ("HCPHS") WASTEWATER SURVEILLANCE PROGRAM

Mr. Baker reviewed a request from the Harris County Public Health Services ("HCPHS") regarding a Wastewater Surveillance Program, a copy of which is attached. Following discussion, Director Brown moved to authorize the HCPHS to conduct a site visit at the District's WWTP. Director Skelton seconded the motion, which passed unanimously.

Mr. Webb stated that IDS will prepare a proposal to switch SCADA system management to be presented at the next operations committee meeting, and then to the Board at the September meeting.

Following review and discussion, Director Brown moved to (1) approve the engineer's report; (2) approve Pay Estimate No. 7 in the amount of \$62,250.00, payable to DMMI; and (3) adopt the engineering CIP, as revised. Director Skelton seconded the motion, which passed unanimously.

GREENBELT PARK AND GREENBELT NORWALK ("THE GREENBELTS")

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. He stated that he will prepare a quote for monthly mowing and maintenance of the Mow Strip to be presented at the September meeting.

PROPOSALS FOR ADDITIONAL PARK MAINTENANCE

There was no discussion regarding this agenda item.

PARK USE AGREEMENTS

Director Brown presented a request from Epiphany of the Lord Catholic School regarding the use of Greenbelt Park for a cross country run to be held on September 29, 2023, from 6:00 p.m. to 9:00 p.m. Following discussion, Director Skelton moved to approve the Greenbelt Park Use Agreement, subject to ABHR finalization. Director Wiggins seconded the motion, which passed with a vote of 4-0, with Director Brown abstaining.

LONG-TERM PARK AND RECREATIONAL FACILITY PLANNING MATTERS

Ms. Lee presented and reviewed a draft parks CIP for the Board's consideration, a copy of which is attached. Following discussion, Director Brown moved to approve the parks CIP. Director Skelton seconded the motion, which passed unanimously.

LANDSCAPE ARCHITECT'S REPORT

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

PUBLIC POWER POOL ("PPP") TECHNICAL COMMITTEE

There was no discussion regarding this agenda item.

APPLICATIONS FOR THE COUNTY'S PLACES 4 PEOPLE: 2023 CALL FOR PROJECTS

There was no further discussion regarding this matter.

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 regarding this matter.

MEETING SCHEDULE

After review and discussion, the Board concurred to hold its next regular meeting on September 18, 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 convened in executive session at 12:39 p.m. pursuant to Section 551.071, Texas Government Code, to conduct a private consultation with its attorney to seek and receive legal advice. In attendance were Directors Hudson, Brown, Wiggins, Skelton, and Moon, Mr. Donham, Mr. Andujar, Mr. Baker, and Ms. Blanton.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION REGARDING PENDING OR CONTEMPLATED LITIGATION, OR A SETTLEMENT OFFER

The Board reconvened in open session at 12:53 p.m. After discussion, Director Hudson reported to Ms. Zahid that the Board declined to take action on the resident's request regarding repairs on the driveway due to the fact that the driveway was correctly repaired by the District's operator in 2018, the one-year warranty period has since expired and five years have passed since the repair, and the District has determined, on advice of the District's operator, that the subsidence is not attributable to District facilities.

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




Secretary, Board of Directors

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