

MINUTES
NOTTINGHAM COUNTRY MUNICIPAL UTILITY DISTRICT

December 18, 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 18th day of December, 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 were Vanessa Herrera of Municipal Accounts & Consulting, L.P.; Kelley Jurecek of Tax Tech, Inc.; Corey Andujar of Si Environmental, LLC ("Si"); Vernon Webb of IDS Engineering Group ("IDS"); Jacob Van Sant of Van Sant Landscape Management ("Van Sant"); Stephanie Lee of KGA/DeForest Design; Jay Bennett of L5E, LLC, dba 5 ("5"); and Duggan Baker, Christina Miller, and Franky Wallace 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 comments. There being no members of the public, Director Hudson then 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 20, 2023. Following review and discussion by the Board, Director Brown moved to approve the minutes of the November 20, 2023, regular meeting, as discussed. Director Skelton seconded the motion, which passed unanimously.

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

There was no discussion regarding this agenda matter.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Herrera 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. After review and discussion, Director Wiggins moved to (1) approve the bookkeeper's report; and (2) authorize payment of the bills. Director Brown seconded the motion, which passed unanimously.

RENEWAL OF DISTRICT'S INSURANCE POLICIES

Mr. Baker stated that the District's insurance policies will expire March 1, 2024 and noted that a proposal for renewal from the District's current insurer, McDonald & Wessendorff Insurance ("M&W") has been requested. Mr. Baker inquired whether the Board would like to request proposals from any other insurers. After review and discussion, the Board concurred to defer requesting proposals from insurers besides M&W until its review and consideration of M&W's renewal proposal.

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 11.2% of the 2023 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 Skelton seconded the motion, which passed unanimously.

OPERATION OF DISTRICT FACILITIES

Mr. Andujar reviewed the operations report, a copy of which is attached. He generally reviewed operations and maintenance for the month. Mr. Andujar reported 90.24% water accountability for the prior month. He reported that there were no violations at the wastewater treatment plant and no new commercial connections.

CUSTOMER CORRESPONDENCE

There was no discussion regarding this agenda matter.

ANNUAL INSPECTION FOR SYSTEM-WIDE LEAK DETECTION

There was no discussion regarding this agenda matter.

HARRIS COUNTY'S WASTEWATER SURVEILLANCE PROGRAM

Mr. Baker reviewed a draft interlocal agreement proposed by Harris County (the "County"), which would allow the County access to District facilities to sample wastewater for testing as part of the County's broader wastewater-based

epidemiology program (the “Wastewater Surveillance Agreement”). Discussion ensued.

Mr. Baker presented and reviewed a draft letter to Ezee Fiber (“EF”) notifying EF of preliminary damages to District facilities, totaling \$24,834.93, caused by EF’s installation of fiber optic lines throughout the District (the “Damages Letter”). Mr. Andujar stated that Si continues to collect more data regarding the matter. Director Brown directed Mr. Andujar to include Si’s charges to the District associated with its repairs of any such damaged District facilities as part of the final damages determination. Mr. Baker stated that a follow-up letter to EF requesting payment would be drafted once Si completes its review and determines a final amount of damages. Mr. Baker requested the Board’s authorization to finalize and submit the letter to EF.

Following review and discussion, Director Brown moved to (1) approve the operator’s report; and (2) authorize ABHR to finalize and submit the Damages Letter to EF. Director Skelton seconded the motion, which passed unanimously. Then, Director Wiggins moved to approve the Wastewater Surveillance Agreement. As there was no second to Director Wiggins’ motion, the motion failed.

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 defer the termination of services for the customers on the list until January 1, 2024 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

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 W.W. Payton, Corporation and Envibe, Inc. (“Envibe”) met on site on December 11, 2023 and that IDS has not yet received Envibe’s written report, however, Mr. Webb stated he had been informed that the motor was successfully rebalanced.

WASTEWATER TREATMENT PLANT ("WWTP") IMPROVEMENTS

Mr. Webb updated the Board regarding the driveway improvements at the WWTP.

SANITARY SEWER REHABILITATION PROGRAM

Mr. Webb had no updates regarding this agenda matter.

DISTRICT CAPITAL IMPROVEMENT PLAN ("CIP") BUDGET UPDATE

Mr. Webb had no updates regarding this agenda matter.

GEOGRAPHIC INFORMATION SYSTEM ("GIS")

Mr. Webb stated that the IDS GIS team obtained the ESRI user licenses and is uploading the map data to the GIS website.

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 the WWTP Flood Mitigation project.

Mr. Webb reviewed and recommended approval of Pay Estimate No. 11 in the amount of \$50,234.40, payable to District and McDonald Municipal and Industrial ("DMMI").

WELL NO. 2 FLOOD MITIGATION

Mr. Webb stated that the plans for the Well No. 2 Flood Mitigation project (the "Well No. 2 Project") have been returned from the Harris County Engineering Department and Harris County Flood Control District with minor comments and that IDS is finalizing the plans.

WELL NO. 3 FLOOD MITIGATION

Mr. Webb updated the Board regarding the Well No. 3 Flood Mitigation project (the "Well No. 3 Project"), stating that design is under way. Mr. Webb stated that IDS will combine the Well No. 2 Project and the Well No. 3 Project into a single bid package, and that IDS anticipates advertising for bids in the first quarter of 2024.

OFFSITE LIFT STATION FLOOD MITIGATION

There was no discussion on this matter.

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

Mr. Baker stated that Precinct 4 had returned a revised draft Interlocal Agreement regarding Precinct 4's installation of a right-hand turn lane on South Fry Road to Highland Knolls Drive (the "Turn Lane") and the contribution by the District of additional right-of-way to accommodate the Turn Lane (the "Turn Lane Agreement"). Mr. Baker reviewed Precinct 4's revisions and discussed a proposed response to Precinct 4. Discussion ensued. Mr. Baker requested authorization to submit a revised draft of the Turn Lane Agreement, as discussed, to Precinct 4.

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

Mr. Baker updated the Board regarding the status of the I/C Agreements, noting that Memorial MUD is conducting its final review. Mr. Baker stated that he would update the Board once final approval was received from Harris MUD 81 and Memorial MUD.

SECURITY MONITORING EQUIPMENT AT PLANT AND WELL SITES

Mr. Webb reviewed a proposal from Today's Integration ("TI") for upgrades to the security monitoring equipment (the "Security Monitoring Agreement"). Mr. Webb stated he reviewed the proposal and recommended that the District wait to upgrade the systems at Well No. 2 and Well No. 3 until the well

mitigation projects are complete. Mr. Webb noted that ABHR and TI are still finalizing the Security Monitoring Agreement but he recommended approving the Security Monitoring Agreement, as discussed, and proceeding with upgrades to the security and surveillance systems at Water Plant No. 1, Lift Station No. 3, and the WWTP, in the amount of \$64,039.64.

GREENBELT PARK WATER USAGE

Mr. Webb updated the Board regarding water usage in Greenbelt Park and Greenbelt Norwalk (the “Greenbelts”).

EPA’S LEAD AND COPPER RULE REVISIONS: TAP AND SERVICE LINE INVENTORY

Mr. Webb had no updates regarding this agenda matter.

TCEQ WWTP DISCHARGE PERMIT RENEWAL FOR PERMIT TERM 2022-2027

Mr. Webb had no updates regarding this agenda matter.

SCADA SYSTEMS

Mr. Webb and Mr. Baker updated the Board regarding Baird, Gilroy & Dixon, LLC’s previously approved proposal to maintain the District’s SCADA systems.

Following review and discussion, Director Wiggins moved to (1) approve the engineer’s report; (2) approve Pay Estimate No. 11 in the amount of \$50,234.40, payable to DMMI; (3) authorize ABHR to submit a revised draft of the Turn Lane Agreement, as discussed, to Precinct 4; and (4) approve the Security Monitoring Agreement, as discussed, subject to finalization by ABHR and TI. Director Skelton seconded the motion, which passed unanimously.

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.

PARK USE AGREEMENTS

There was no discussion regarding this agenda item.

PROPOSALS FOR ADDITIONAL PARK MAINTENANCE

There was no discussion regarding this agenda item.

LONG-TERM PARK AND RECREATIONAL FACILITY PLANNING MATTERS

There was no discussion regarding this agenda item.

LANDSCAPE ARCHITECT'S REPORT

Ms. Lee presented and reviewed the Landscape Architect's report, a copy of which is attached.

Ms. Lee updated the Board regarding the Fitness Station Amenity Enhancements project and confirmed that the contractor completed adjustments at the chinning bar stations and that the push up bar will be installed in December, 2023.

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

APPLICATIONS FOR PRECINCT 4'S PLACES 4 PEOPLE: 2023 CALL FOR PROJECTS

There was no discussion regarding this agenda item.

PUBLIC POWER POOL ("PPP") TECHNICAL COMMITTEE

Director Hudson updated the Board regarding this agenda item.

UPDATE REGARDING L5E'S ("5") ANALYSIS OF ENERGY COST-SAVINGS

Mr. Bennett presented and reviewed results of the District's energy physical, a copy of which is attached to the minutes. Following review and discussion, Mr. Bennett requested the Board's approval of a letter of representation authorizing 5 to (1) obtain and discuss existing and future contracts with retail electricity providers ("REPs"); (2) to review existing REP contracts; and (3) negotiate and implement any new electricity contracts. The Board deferred action on this matter.

EMERGENCY NOTIFICATION SYSTEM

There was no discussion regarding this agenda item.

DISTRICT TECHNOLOGY AND INFORMATION MANAGEMENT MATTERS

There was no discussion regarding this agenda item.

WEBSITE MATTERS

The Board deferred review of the District website until the February meeting. Mr. Baker updated the Board regarding a request from The Texas Network LLC (“TTN”) that the District pay stale invoices, in an amount equal to \$5,326.75, for services provided during the period beginning August 2018 and ending on December 31, 2023, for which the District had not previously received invoices. Director Wiggins moved to approve handwritten check no. 12816 in the amount of \$5,326.75 to TTN. Director Skelton seconded the motion, which passed unanimously.

EMINENT DOMAIN REPORT TO THE TEXAS COMPTROLLER


Mr. Baker stated that, pursuant to Chapter 2206.154, Texas Government Code, the District is required to submit a yearly report regarding its eminent domain authority to the Texas Comptroller of Public Accounts. He indicated that the filing had been completed by ABHR.

MEETING SCHEDULE

After review and discussion, the Board concurred to hold its next regular meeting tentatively on January 29, 2024.

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




Secretary, Board of Directors

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