

MINUTES
NOTTINGHAM COUNTRY MUNICIPAL UTILITY DISTRICT

March 18, 2024

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 March, 2024, 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 Craig Hudson, a member of the public; Darrell Hawthorne of Municipal Accounts & Consulting, L.P.; Esther Flores of Tax Tech, Inc.; Corey Andujar of Si Environmental, LLC (“Si”); Vernon Webb and Lindsey Whatley of IDS Engineering Group (“IDS”); Jacob Van Sant of Van Sant Landscape Management (“Van Sant”); and Duggan Baker, Christina Miller, 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 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 February 19, 2024. Following review and discussion by the Board, Director Wiggins moved to approve the minutes of the February 19, 2024, 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 on this matter.

FINANCIAL AND BOOKKEEPING MATTERS

Mr. Hawthorne 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.

TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Flores 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 94.23% 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 93.90% 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.

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. After review and discussion, Director Brown moved to 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 Wiggins seconded the motion, which passed unanimously.

ORDER ADOPTING AMENDED AND RESTATED DROUGHT CONTINGENCY PLAN

Mr. Baker stated that the Texas Commission on Environmental Quality rules require that the District review and adopt an Amended and Restated Drought Contingency Plan in 2024, prior to May 1st. Mr. Baker reviewed an Amended and Restated Drought Contingency Plan with the Board. After review and discussion, Director Skelton moved to adopt an Order Adopting Amended and Restated Drought Contingency Plan; Providing for Implementation and Enforcement Thereof; Providing Penalties for Violations; and Containing Other Provisions Related to the Subject and direct that the Order be filed appropriately and retained in the District's official records. Director Wiggins seconded the motion, which passed by unanimous vote.

Mr. Andujar updated the Board regarding Ezee Fiber ("EF") damages to District facilities and stated that Si is preparing a final spreadsheet of damages caused by EF's installation of fiber optic lines throughout the District. Mr. Andujar stated that he will submit the final spreadsheet to ABHR for a letter to EF requesting reimbursement of the District's damages.

Following 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. 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 updated the Board regarding the performance of pump assemblies and stated that the extended warranty on the pump assemblies ended February 21, 2024.

WASTEWATER TREATMENT PLANT ("WWTP") IMPROVEMENTS

Mr. Webb reviewed, requested approval of, and proposed a change in the scope of the plans to expand the driveway to provide access to the non-potable water hoists on the east side of the chlorine contact basin at the WWTP (the "Driveway Change in Scope"). Mr. Webb stated that the plans are in progress and that the revised cost is reflected in the Capital Improvement Plan ("CIP").

SANITARY SEWER REHABILITATION PROGRAM ("REHABILITATION PROGRAM")

Mr. Webb stated that Si provided additional inspections of the large diameter line segments and manholes. He stated that IDS reviewed the data and confirmed that the condition of the additional segments is consistent with the rest of the large diameter sanitary sewer, therefore the original plan to use cure-in-place pipe on all large diameter sanitary sewer is still in place. Mr. Webb stated that IDS is updating the construction cost estimate with Si for the Rehabilitation Program. Mr. Webb added that IDS identified eight segments of sanitary sewer that have not been televised and that IDS is coordinating with Si to obtain the video of those segments. Mr. Webb stated that he will coordinate the construction schedule of the Rehabilitation Program with the construction of Harris County Precinct 4's ("Precinct 4") project for a new right-turn lane at the intersection of South Fry Road and Highland Knolls Drive (the "Roadway Improvement Project").

Mr. Baker stated that the good faith deposit from Precinct 4 for the Roadway Improvement Project is due to the District by April 2, 2024.

DISTRICT CIP BUDGET UPDATE

Mr. Webb stated that IDS continues to update the CIP to forecast rehabilitation and replacement projects within the next 30 years incorporating an annual 4% inflation rate. Mr. Webb stated that IDS will coordinate with KGA/DeForest Design ("KGA") to incorporate park capital improvement projects into the CIP.

GEOGRAPHIC INFORMATION SYSTEM ("GIS")

Mr. Webb previewed the GIS website for the Board. Mr. Webb stated that

IDS received Si's maintenance report to incorporate active work orders into the GIS website. Mr. Webb stated that IDS requested sample manhole & valve survey inspection forms from Si to incorporate them into the GIS website. Mr. Webb stated that he will make further recommendations regarding the GIS website at the April meeting.

PROPOSALS FOR REHABILITATION OF DISTRICT FACILITIES AND ENGINEERING WORK, INCLUDING WATER TANK INSPECTION

Mr. Webb reminded the Board that the Texas Commission on Environmental Quality requires full interior and exterior water tank inspections every five years. Mr. Webb stated that IDS will complete the water tank's annual exterior inspection in April, 2024.

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 reviewed and recommended approval of Change Order No. 5 to the contract with District and McDonald Municipal and Industrial ("DMMI") for the WWTP Motor Control Center to increase the contract in the amount of \$10,707.77 to relocate the existing mobile belt press quick-connect. The Board determined that Change Order No. 5 is beneficial to the District.

Mr. Webb reviewed and recommended approval of Pay Estimate No. 14 in the amount of \$150,817.50, payable to DMMI.

WELL NO. 2 AND WELL NO. 3 FLOOD MITIGATION ("WELL MITIGATION")

Mr. Webb stated that plans were returned to IDS from the County and the Harris County Flood Control District ("HCFCD") with minor comments and that the plans have been updated. Mr. Webb stated that he

anticipates advertising for bids for the construction of the Well Mitigation Project after the April board meeting.

PRECINCT 4 ROADWAY IMPROVEMENT PROJECT

There was no further discussion regarding this matter.

EMERGENCY PREPAREDNESS PLAN ("EPP")

Mr. Baker stated that ABHR is reviewing the EPP. Mr. Webb stated that IDS will complete the EPP.

GREENBELT PARK WATER USAGE

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

SECURITY MONITORING EQUIPMENT

Mr. Webb reminded the Board that Today's Integration completed its installation of security equipment upgrades at the District's Water Plant, Lift Station, and Wastewater Treatment Plant. Mr. Webb stated that the surveillance system upgrades to the water plant are complete and surveillance system upgrades to the wastewater treatment plant are almost complete. Mr. Webb stated that the surveillance system upgrades at Well No. 2 and Well No. 3 are on hold until the Well Mitigation Project is complete.

SCADA SYSTEMS

Mr. Webb stated that Baird Gilroy & Dixon, LLC began the annual SCADA system assessment.

Mr. Webb reviewed information provided by the HCFCD regarding HCFCD's Rehabilitation of Channels Within Barker Reservoir Project ("HCFCD Project"), a copy of which is attached. Mr. Webb stated that the HCFCD Project is anticipated to begin in the summer of 2025 and that it will take approximately one year to complete.

WEBSITE

Mr. Webb updated the Board regarding write ups for general District information, completed projects, and ongoing projects. Mr. Webb stated that IDS coordinated with KGA to provide information regarding the Greenbelts.

Following review and discussion, Director Brown moved to (1) approve the

engineer's report; (2) ratify and approve the Driveway Change in Scope, as discussed; (3) approve Change Order No. 5 for \$10,707.77 with DMMI, based upon the Board's finding that the Change Order is beneficial to the District and the engineer's recommendation; and (4) based on the engineer's recommendation, approve Pay Estimate No. 14 in the amount of \$150,817.50, payable to DMMI. 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. Director Brown asked Mr. Van Sant to conduct an irrigation review before construction of the Precinct 4 Roadway Improvement Project begins.

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

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

The Board discussed the design proposal for Pavilion and Playground Amenity Enhancements (the "Enhancements") in the amount of \$37,900.00 and the landscape architect's opinion of probable cost in the amount of \$320,000.00. Discussion ensued. The Board concurred to defer action on the design proposal and to hold a special meeting in the District on April 24, 2024 at 6:00 p.m. to discuss the Enhancements.

The Board received a Tree Preservation Report from Environmental Design, Inc. The Board deferred action on the matter.

After review and discussion, Director Brown moved to approve the Landscape Architect's report, as discussed. Director Skelton 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 matter.

PUBLIC POWER POOL ("PPP") TECHNICAL COMMITTEE

Director Hudson updated the Board regarding this agenda item.

EMERGENCY NOTIFICATION SYSTEM

There was no discussion regarding this agenda item.

DISTRICT TECHNOLOGY AND INFORMATION MANAGEMENT MATTERS, INCLUDING CYBERSECURITY TRAINING

Mr. Baker reminded the Board that annual cybersecurity training that is certified by the Texas Department of Information Resources must be completed by June 14, 2024.

WEBSITE MATTERS

There was no further discussion regarding this agenda item.

2024 DIRECTORS ELECTION

Mr. Baker discussed procedures related to the 2024 Directors Election. He presented a Certificate Declaring Unopposed Status of Candidates for Election to the Board of Directors executed by the Board Secretary stating that the District received two candidate applications for the two director positions for the May 4, 2024, Directors Election.

Mr. Baker presented an Order Cancelling Election and Declaring Unopposed Candidates Elected to Office (the "Order Cancelling") stating that the May 4, 2024, Directors Election is cancelled and that the unopposed candidates, Ron Hudson and Vaughan Brown are declared elected to office to serve from the May 4, 2024 Directors Election until the May 6, 2028, Directors Election. He reviewed the posting requirements for the Order Cancelling.

Mr. Baker discussed that the Board had approved entering into a contract with Harris County (the "County") to administer the District's 2024 Directors Election.

Following review and discussion, Director Wiggins moved to (1) accept the Certificate Declaring Unopposed Status of Candidates for Election to the Board of Directors and direct that the Certificate be filed appropriately and retained in the District's official records; (2) adopt the Order Cancelling, authorize the Secretary's agent to post the Order Cancelling, as required, and direct that the Order Cancelling be filed appropriately and retained in the District's official records; and (3) cancel the contract with the County for election services for the May 4, 2024 Directors Election. Director Skelton seconded the motion, which passed unanimously.

MEETING SCHEDULE

After review and discussion, the Board concurred to hold its next regular meeting on April 15, 2024.

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



Alan Wiggins
Secretary, Board of Directors

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