

MINUTES  
NOTTINGHAM COUNTRY MUNICIPAL UTILITY DISTRICT

April 15, 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 15<sup>th</sup> day of April, 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, thus constituting a quorum.

Also attending the meeting were Darrell Hawthorne of Municipal Accounts & Consulting, L.P.; Kelley Jurecek 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”); Stephanie Lee of KGA/DeForest Design (“KGA”); 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 March 18, 2024. Following review and discussion by the Board, Director Brown moved to approve the minutes of the March 18, 2024, regular meeting, as discussed. Director Moon 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. 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 97.21% of the 2023 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.

## 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 93.36% 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 requested the Board's approval of a proposal from Aerzen in the amount of \$5,685.46 to make repairs to the blowers at the wastewater treatment plan. After review and discussion, Director Wiggins moved to approve the proposal. Director Wiggins seconded the motion, which passed unanimously.

## CUSTOMER CORRESPONDENCE

There was no discussion regarding this agenda matter.

## ANNUAL INSPECTION FOR SYSTEM-WIDE LEAK DETECTION

Mr. Andujar stated that the valve survey from Accurate Meter is pending.

## IDENTITY THEFT

Mr. Andujar presented and reviewed the annual report on the District's Identity Theft Prevention Program, a copy of which is included in the operator's report. Mr. Andujar stated that the annual report indicates no significant incidents of identity theft detection and recommended no changes to the program at this time. After review and discussion, Director Wiggins made the motion to accept the annual report on the Identity Theft Prevention Program, continue the program as currently operating, and

direct that the report be filed appropriately and retained in the District's official records. Director Moon seconded the motion, which carried unanimously.

Mr. Andujar updated the Board regarding the final estimate of damages caused by Ezee Fiber ("EF") damages to District facilities, approximately \$19,567.83. Mr. Baker stated that ABHR would send a letter notifying EF of the final estimate of damages and requesting payment to the District. Mr. Andujar also reported on a repair made to a water line that was located under a storm sewer line and was damaged by AT&T during February 2024 while AT&T installed a new fiber optic line. Mr. Andujar stated that the repair was approximately \$14,000.00 (the "AT&T Damages"). Mr. Baker advised the Board that ABHR would also send letter notice to AT&T requesting payment to the District in an amount equal to the AT&T Damages. Mr. Andujar stated that Si is investigating additional damages to District facilities by another contractor that Si believes to be known as SPS that also installed fiber optic lines within the District. Mr. Andujar stated that the damages to District facilities by SPS was approximately \$5,000.00 and that he would obtain additional documentation confirming the identity of SPS. Mr. Baker stated that ABHR would send a similar letter notice of the damages caused by SPS and a request for payment once the contractor's identity was confirmed.

Following review and discussion, Director Wiggins moved to (1) approve the operator's report; (2) authorize ABHR to finalize and submit a letter to EF requesting reimbursement for damages to District facilities; (3) authorize ABHR to draft and submit a letter to AT&T requesting reimbursement for the AT&T Damages; and (4) authorize ABHR to draft and submit a letter to SPS (or the applicable contractor) requesting reimbursement for damages to District facilities, contingent Si's identification of the appropriate contractor to be notified. Director Moon 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 Wiggins 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 Moon 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 had no updates regarding this agenda matter.

WASTEWATER TREATMENT PLANT ("WWTP") IMPROVEMENTS

Mr. Webb stated that Harris County returned the WWTP Improvements 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 with minor comments.

SANITARY SEWER REHABILITATION PROGRAM ("REHABILITATION PROGRAM")

Mr. Webb stated that IDS will coordinate the construction schedule for the Rehabilitation Program based on the District's receipt of the good faith deposit from Harris County Precinct 4 ("Precinct 4") for the new right-turn lane at the intersection of South Fry Road and Highland Knolls Drive (the "Roadway Improvement Project").

Mr. Baker stated that he will follow up with Precinct 4 regarding the good faith deposit for the Roadway Improvement Project.

DISTRICT CAPITAL IMPROVEMENTS PLAN ("CIP") BUDGET UPDATE

Mr. Webb stated that IDS will review the CIP in more depth with the Operations Committee.

GEOGRAPHIC INFORMATION SYSTEM ("GIS")

Mr. Webb stated that Si has access to the GIS and that IDS and Si are coordinating data to add to the GIS.

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

Mr. Webb had no updates regarding this agenda 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 reviewed and recommended approval of Pay Estimate No. 15 in the amount of \$108,000.00, payable to District and McDonald Municipal and Industrial (“DMMI”).

WELL NO. 2 AND WELL NO. 3 FLOOD MITIGATION (“WELL MITIGATION PROJECT”)

Mr. Webb reviewed the plans and specifications and requested the Board authorize him to advertise for bids for the construction of the Well Mitigation Project.

PRECINCT 4 ROADWAY IMPROVEMENT PROJECT

Mr. Baker stated that Precinct 4 had not yet sent an updated Joint Participation Interlocal Agreement for the Roadway Improvement project. Ms. Miller updated the Board regarding the anticipated timing for receiving a draft interlocal agreement, noting that Precinct 4 is currently requesting Applications For The County’s Places 4 People: 2024 Call For Projects despite the fact that Precinct 4’s legal staff has not yet finalized interlocal agreements for projects funded through Precinct 4’s 2023 call for projects.

EMERGENCY PREPAREDNESS PLAN (“EPP”)

Mr. Webb stated that IDS is reviewing the EPP.

SECURITY MONITORING EQUIPMENT

Mr. Webb had no updates regarding this agenda matter.

GREENBELT PARK WATER USAGE

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

## SCADA SYSTEMS

Mr. Webb stated that Baird Gilroy & Dixon, LLC completed the annual SCADA system assessment and is finalizing the report.

Following review and discussion, Director Brown moved to (1) approve the engineer's report; (2) based on the engineer's recommendation, approve Pay Estimate No. 15 in the amount of \$108,000.00, payable to DMML; and (3) approve the plans and specifications and authorize the engineer to advertise for bids for the Well Mitigation Project. Director Moon seconded the motion, which passed unanimously.

## THE GREENBELTS

### LANDSCAPE MAINTENANCE REPORT

Director Brown generally reported on matters related to the Greenbelts.

Mr. Baker reported on correspondence from a District resident asking about the maintenance of a black chain link fence located between the Lakes of Buckingham and George Bush Park (the "Fence"). Discussion ensued. The Board concurred to (1) designate Directors Wiggins and Skelton to meet with the resident to review the matter; and (2) authorize IDS to obtain quotes for repair and/or replacement of the Fence.

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. Mr. Van Sant presented and reviewed four proposals for irrigation repairs to be performed by Van Sant in the Greenbelts in the total amount of \$110,683.59. The Board asked Ms. Lee to obtain proposals for the repairs from additional contractors and deferred action on the matter pending receipt of additional proposals.

## 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

Ms. Lee stated that Mr. John Schnure will attend the special Board of Directors meeting in the District on April 24, 2024, to present Pavilion and

Playground Amenity Enhancements (the “Enhancements”) in the Greenbelts to the District’s residents. Director Brown asked ABHR to post the agenda for the meeting on the home page of the District’s website.

#### LANDSCAPE ARCHITECT’S REPORT

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

The Board discussed the Enhancements.

Ms. Lee presented and reviewed Drinking Fountain Replacements (“Fountains”) and stated that the proposal for the Fountains is pending receipt.

Ms. Lee stated that the proposal for tree preservation from Environmental Design, Inc. is pending receipt.

After review and discussion, Director Wiggins moved to approve the Landscape Architect’s report. 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 item.

#### 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

Director Wiggins and Mr. Baker updated the Board regarding website matters.

MEETING SCHEDULE

After review and discussion, the Board concurred to hold a special meeting on April 24, 2024, and to hold its next regular meeting on May 20, 2024.

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



  
Secretary, Board of Directors



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