

MINUTES
NOTTINGHAM COUNTRY MUNICIPAL UTILITY DISTRICT

May 20, 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 20th day of May, 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 Stan Motyka, a resident of the District; 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 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 April 15, 2024 and the special meeting held on April 24, 2024. Following review and discussion by the Board, Director Brown moved to approve the minutes of the April 15, 2024, regular meeting, and the April 24, 2024, special meeting, as discussed. Director Skelton seconded the motion, which passed unanimously.

2024 DIRECTORS ELECTION

CERTIFICATE OF ELECTION

The Board considered approving a Certificate of Election, reflecting the election of Mr. Ron Hudson and Mr. Vaughan Brown to the Board of Directors of

the District each for a four-year term. After review and discussion, Director Brown moved to approve the Certificate of Election and the distribution of same to Directors Hudson and Brown and direct that the Certificate of Election be filed appropriately and retained in the District's official records. Director Skelton seconded the motion, which passed unanimously.

DIRECTORS' SWORN STATEMENTS, OFFICIAL BONDS AND OATHS OF OFFICE

Ms. Miller reviewed the Sworn Statements and Oaths of Office for Directors Wiggins, Skelton, and Moon. After review and discussion, Director Brown moved that the Board approve the Sworn Statements and Oaths of Office and direct that the documents be filed appropriately and retained in the District's official records, and that the Oaths of Office be filed with the Secretary of State, as required by law. Director Skelton seconded the motion, which passed unanimously.

REORGANIZE THE BOARD

The Board took no action on this matter.

DISTRICT REGISTRATION FORM

The Board then considered authorizing filing of an updated District Registration Form with the Texas Commission on Environmental Quality ("TCEQ"), reflecting the terms of the newly elected directors. Following review and discussion, Director Skelton moved to authorize filing of the updated District Registration Form with the TCEQ and direct that the District Registration Form be filed appropriately and retained in the District's official records. Director Moon seconded the motion, which passed unanimously.

TEXAS PUBLIC INFORMATION ACT TRAINING

Ms. Miller discussed the Texas Public Information Act ("TPIA") and noted that the Texas Legislature has indicated that officers and employees of governmental entities are temporary custodians of public information. Ms. Miller distributed a memorandum regarding Texas Open Meetings Act ("TOMA") and TPIA training requirements, noted that all Directors have previously completed TOMA training, and encouraged the Board of Directors to receive TPIA training as soon as possible and forward their certificate of completion to ABHR for inclusion in the District's permanent records.

CONFLICT OF INTEREST DISCLOSURES

Ms. Miller reviewed a Memorandum from ABHR regarding conflict of interest disclosure required under Chapter 176 of the Texas Local Government

Code and disclosure forms adopted by the Texas Ethics Commission, a copy of which is attached. Ms. Miller stated that pursuant to Chapter 176 of the Texas Local Government Code, the District will maintain a List of Local Government Officers. Ms. Miller reviewed the List of Local Government Officers. After review and discussion, Director Wiggins moved to approve and authorize execution of the List of Local Government Officers and direct that the List be filed appropriately and retained in the District's official records. Director Moon seconded the motion, which passed by unanimous vote.

WEST HARRIS COUNTY REGIONAL WATER 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 Brown moved to (1) approve the bookkeeper's report; and (2) authorize payment of the bills. Director Skelton seconded the motion, which passed unanimously.

The Board then received a 2023 EVO Report, a copy of which is attached. Mr. Hawthorne stated that Mr. Mark Burton was available to discuss the EVO report via Zoom if any Directors were interested in discussing the EVO report in detail.

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 97.54% of the 2023 taxes have been collected as of the meeting date. Director Wiggins asked Ms. Jurecek to investigate a residential delinquent tax account. 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. Andujar reviewed the operations report, a copy of which is attached. He generally reviewed operations and maintenance for the month. Mr. Andujar reported 98.5% water accountability for the prior month. He reported that there were no violations at the wastewater treatment plant and no new commercial connections. 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

There was no discussion regarding this agenda matter.

CONSUMER CONFIDENCE REPORT

Mr. Andujar reviewed the Consumer Confidence Report (“CCR”), a copy of which is attached, regarding the quality of the District’s water and stated that it will be filed with the TCEQ and distributed to District residents by July 1, 2024. After review and discussion, Director Moon made a motion to approve the CCR and authorize it to be distributed to the District’s residents. Director Skelton seconded the motion, which carried unanimously.

Following review and discussion, Director Moon moved to approve the operator’s report. Director Skelton 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 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 had no updates regarding this agenda matter.

WASTEWATER TREATMENT PLANT (“WWTP”) IMPROVEMENTS

Mr. Webb stated that the plans for the WWTP driveway improvements have been resubmitted to Harris County.

SANITARY SEWER REHABILITATION PROGRAM ("REHABILITATION PROGRAM")

Mr. Webb stated that IDS's proposal to design and bid the Sanitary Sewer Rehabilitation will be presented at the June Board meeting. Mr. Webb stated that the updated construction cost estimate for the Rehabilitation Program is \$3,650,000.00.

DISTRICT CAPITAL IMPROVEMENTS PLAN ("CIP") BUDGET UPDATE

Mr. Webb stated that IDS reviewed the CIP with the Operations Committee on May 5, 2024 and coordinated with KGA to incorporate anticipated park projects into the CIP. A draft of the CIP is attached to the engineer's report. Discussion ensued regarding future funding of the District's facilities.

GEOGRAPHIC INFORMATION SYSTEM ("GIS")

Mr. Webb stated 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 stated that the annual exterior inspections for ground storage tank nos. 1 and 2 and hydropneumatic tank nos. 1 and 2 were complete. Mr. Webb stated that ground storage tanks nos. 3 and 4 will be inspected the week of May 20, 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. 6 to the contract with District and McDonald Municipal and Industrial ("DMMI") for the WWTP Flood Mitigation project to increase the contract in the amount of \$34,000.00, to install an electric hoist for the non-potable water pumps in the chlorine contact basin, all electrical work associated with the hoist, and adding an additional handrail at the end of the elevated

platform. The Board determined that Change Order No. 6 is beneficial to the District. Mr. Webb stated that IDS anticipates that the WWTP Flood Mitigation project will be complete in July, 2024, pending the delivery of electrical components.

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

Mr. Webb stated that bids were received for construction of the Well Mitigation project. Mr. Webb recommended that the Board award the contract to W.W. Payton, Corporation ("WW Payton") in the base bid amount of \$1,950,000.00 and one add alternate in the amount of \$102,000.00 for the removal and replacement of an electrical switchboard, for a total amount of \$2,052,000.00. The Board concurred that, in its judgment, WW Payton was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the project.

PRECINCT 4 ROADWAY IMPROVEMENT PROJECT

Ms. Miller stated that the interlocal agreement was under review with Precinct 4.

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.

The Board then discussed the Lakes of Buckingham Homeowners' Association ("HOA") request to repair or replace a black chain link fence located between the Lakes of Buckingham and George Bush Park. Mr. Webb discussed cost options for the fence. The Board concurred to authorize Directors Wiggins and Skelton to meet with the HOA at the site to discuss options.

Following review and discussion, Director Brown moved to (1) approve the engineer's report; (2) approve Change Order No. 6 in the amount of \$34,000.00 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; and (3) award the contract for construction of the Well Mitigation project to WW Payton in the total amount of \$2,052,000.00, based upon the engineer's recommendation and receipt of the payment and performance bonds and the

certificate(s) of insurance and endorsements, if any, provided by the contractor. Director Wiggins seconded the motion, which passed by unanimous vote.

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 AGREEMENT

There was no discussion regarding this agenda item.

PROPOSALS FOR ADDITIONAL PARK MAINTENANCE

Ms. Lee stated that bids were received for construction of the Greenbelt Park Irrigation Rehabilitation project. Ms. Lee recommended that the Board award the contract to Van Sant in the amount of \$113,183.59. The Board concurred that, in its judgment, Van Sant was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the project. Following review and discussion, Director Brown moved to award the contract for the Greenbelt Park Irrigation Rehabilitation project to Van Sant in the total amount of \$113,183.59, based upon the landscape architect's recommendation and receipt of the payment and performance bonds and the certificate(s) of insurance and endorsements, if any, provided by the contractor. Director Wiggins seconded the motion, which passed by unanimous vote.

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 a landscape architect's report, a copy of which is attached.

The Board discussed the proposed Pavilion and Playground Amenity Enhancements ("Enhancements") project. Ms. Lee discussed KGA's estimated construction fees in the amount of \$375,000.00 for the Enhancements. Ms. Lee requested the Board authorize her to begin design of the Enhancements in the amount of \$40,500.00. Following review and discussion, Director Brown made a motion to authorize the landscape architect to begin design of the Enhancements

in proposed location "A" without the inclusion of a parking lot. Director Skelton seconded the motion, which passed 4-1, with Director Wiggins opposed.

Ms. Lee then presented and reviewed a Drinking Fountain Replacement proposal to purchase and install six drinking fountains in the total amount of \$51,000.00. The Board requested that Ms. Lee obtain additional proposals to replace the drinking fountains.

After review and discussion, Director Wiggins moved to approve the landscape architect's report. Director Moon 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 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

Ms. Miller 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 discussion regarding this agenda item.

MEETING SCHEDULE

After review and discussion, the Board concurred to hold its next regular meeting on June 17, 2024.

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




Secretary, Board of Directors

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