

MINUTES  
NOTTINGHAM COUNTRY MUNICIPAL UTILITY DISTRICT

July 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 July, 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
Stan Motyka	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 of IDS Engineering Group ("IDS"); Jacob Van Sant of Van Sant Landscape Management ("Van Sant"); and Jessica Holoubek, Kelley Hanen, 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 wishing to speak, 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 June 17, 2024. Following review and discussion by the Board, Director Brown moved to approve the minutes of the June 17, 2024, regular meeting, as written. Director Skelton 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 by unanimous vote.

Mr. Hawthorne presented and reviewed a proposal from Central Bank for Positive Pay services. After discussion and review, Director Brown moved to approve the proposal. Director Skelton seconded the motion, which passed by unanimous vote.

## 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 98.87% 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 Wiggins seconded the motion, which passed by unanimous vote.

### THIRD AMENDMENT TO AMENDED AND RESTATED CONTRACT FOR THE ASSESSMENT AND COLLECTION OF TAXES ("THIRD AMENDMENT ")

Ms. Jurecek presented and reviewed a Third Amendment with a rate increase to \$1.22 for each personal and real property account and a fee of \$750.00 for continuing disclosure services. After review and discussion, Director Brown moved to approve the Third Amendment. Director Wiggins seconded the motion, which passed by unanimous vote.

## ADOPT RESOLUTION REGARDING DEVELOPMENT STATUS FOR 2024 TAX YEAR

Ms. Holoubek discussed the "truth-in-taxation" property tax calculations and tax levy process for water districts and stated that Chapter 49 of the Texas Water Code establishes three main categories for water districts, based on a district's development status and/or tax rate. She reviewed the definitions for each of the three categories and said the Board must annually determine the District's category for that tax year and follow the associated notice and levy provisions in the Texas Water Code.

Discussion ensued regarding the District's development status. After fully considering relevant data, information, and statutory definitions, the Board determined that the District is a Developed District for the 2024 tax year.

Following review and discussion, Director Brown moved to adopt a Resolution Regarding Development Status for 2024 Tax Year establishing the District as a Developed District for the 2024 tax year, pursuant to Section 49.23602, Texas Water Code, and direct

that the Resolution be filed appropriately and retained in the District's official records. Director Skelton seconded the motion, which passed by unanimous vote.

#### 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 94.32% 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.

Following review and discussion, Director Brown moved to approve the operator's report. Director Skelton seconded the motion, which passed by unanimous vote.

#### 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 by unanimous vote.

#### ENGINEERING AND CAPITAL IMPROVEMENT PROJECTS

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

#### WASTEWATER TREATMENT PLANT ("WWTP") IMPROVEMENTS

Mr. Webb stated that the Harris County Engineering Department's comments to the driveway improvement plans had been received and that IDS is addressing their comments.

SANITARY SEWER REHABILITATION PROGRAM ("REHABILITATION PROGRAM")

Mr. Webb stated that IDS received the video inspections from Si for the Rehabilitation Program.

DISTRICT CAPITAL IMPROVEMENTS PLAN ("CIP") BUDGET UPDATE

Mr. Webb stated that IDS will continue to update the CIP as needed regarding future funding of the District's facilities.

GEOGRAPHIC INFORMATION SYSTEM ("GIS")

Directors Motyka and Skelton requested hard copies of 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

Mr. Webb had no updates regarding this agenda 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. 7 to the contract with District and McDonald Municipal and Industrial ("MMI") for a time extension due to the pending receipt of the Automatic Transfer Switch and to add platform access around the generator to increase the contract in the amount of \$9,500.00. The Board determined that Change Order No. 7 is beneficial to the District.

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

Mr. Webb stated that the construction contract for the Well Mitigation Project is pending ABHR's approval of the bonds and certificate of insurance. Mr. Webb stated that W.W. Payton Corporation began

coordinating with manufacturers to obtain long lead time items for the project.

PRECINCT 4 ROADWAY IMPROVEMENT PROJECT ("ROADWAY IMPROVEMENTS")

Mr. Webb stated that Harris County (the "County") provided their plans for a right-hand turn lane on South Fry Road to Highland Knolls Drive for IDS's review. Mr. Webb reminded the Board that IDS has prepared preliminary plans of the District's facilities related to the Roadway Improvements. He confirmed that IDS will not release the plans to the County until the District has received the County's deposit.

Mr. Webb stated that Today's Integration completed the security and surveillance system upgrades on the water plant, lift station, and wastewater treatment plant. He reported that IDS completed a walk-through with Si and Today's Integration to review all the upgrades installed and confirmed that the system is operating correctly. Mr. Webb reminded the Board that security and surveillance system upgrades at Well Nos. 2 & 3 will be on hold until that upcoming construction project is complete.

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

Mr. Webb stated that Directors Wiggins and Skelton met with the Lakes of Buckingham (the "HOA") to discuss the black vinyl fence adjacent to the Water Plant and determined that the District would install new fencing. Mr. Webb stated that IDS met with Wright Solutions ("WS") to discuss the project and that WS will provide a quote for the fence. Mr. Webb then requested authorization to proceed with a service agreement in an amount not to exceed \$25,000.00 for the new fencing.

Following review and discussion, Director Brown moved to (1) approve the engineer's report; (2) approve Change Order No. 7 in the amount of \$9,500.00 as an increase to the contract with MMI, based upon the Board's finding that the Change Order is beneficial to the District and the engineer's recommendation; and (3) authorize IDS to approve a service agreement in an amount not to exceed \$25,000.00 with WS. Director Motyka 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. Mr. Van Sant stated that Phase 1 of the Greenbelt Park Irrigation Rehabilitation

project (“Irrigation Rehabilitation”) is complete, and that Van Sant will begin Phase 2 the week of July 15, 2024.

PROPOSALS FOR ADDITIONAL PARK MAINTENANCE

There was no discussion regarding this agenda item.

PARK USE AGREEMENTS

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 park and recreational facility planning workshop special meeting to be held on July 19, 2024, at 11:30 a.m.

After review and discussion, Director Skelton moved to (1) approve the landscape architect’s report. Director Motyka seconded the motion, which passed by unanimous vote.

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

There were no updates regarding this agenda matter.

PUBLIC POWER POOL TECHNICAL COMMITTEE

Director Hudson updated the Board regarding this agenda item.

SCADA CYBERSECURITY MATTERS

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

EMERGENCY NOTIFICATION SYSTEM

There was no discussion regarding this agenda item.

DISTRICT TECHNOLOGY AND INFORMATION MANAGEMENT MATTERS, INCLUDING CYBERSECURITY TRAINING

There was no discussion regarding this agenda item.

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 August 19, 2024.

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



  
Secretary, Board of Directors

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