

MINUTES
NOTTINGHAM COUNTRY MUNICIPAL UTILITY DISTRICT

June 17, 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 17th day of June, 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 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 May 20, 2024. Following review and discussion by the Board, Director Brown moved to approve the minutes of the May 20, 2024, regular meeting, as discussed. Director Wiggins seconded the motion, by unanimous vote.

DIRECTOR MATTERS

RESIGNATION OF DIRECTOR MOON AND APPOINT NEW DIRECTOR

Ms. Miller stated Director Moon has submitted his resignation from the Board of Directors. Ms. Miller then introduced Mr. Motyka to the Board and stated he is interested in serving on the Board of Directors. Following discussion,

Director Brown made a motion to accept the resignation of Director Moon and appoint Mr. Motyka to the Board of Directors. Director Skelton seconded the motion, which passed by unanimous vote.

APPROVE SWORN STATEMENT, OFFICIAL BOND, AND OATH OF OFFICE

Ms. Miller stated that Director Motyka must execute a Sworn Statement, Official Bond, and Oath of Office as required by the Texas Constitution and Texas Water Code. After discussion, Director Brown moved that the Board of Directors approve Director Motyka's Sworn Statement, Official Bond, and Oath of Office, and direct that they be filed and retained in the District's official records and that the Oath of Office be filed with the Secretary of State of the State of Texas. The motion was seconded by Director Skelton, which passed by unanimous vote.

RE-ORGANIZE THE BOARD OF DIRECTORS AND AUTHORIZE EXECUTION OF DISTRICT REGISTRATION FORM

The Board then considered reorganizing the Board. After discussion, Director Brown moved to reorganize the Board as follows:

Ronald E. Hudson	President
Vaughan Brown	Vice President
Alan Wiggins	Secretary
Wade K. Skelton	Assistant Vice President
Stan Motyka	Assistant Secretary

The motion was seconded by Director Skelton, which passed by unanimous vote.

Ms. Miller stated the District Registration Form must be filed with the Texas Commission on Environmental Quality ("TCEQ") to show the new slate of officers. After discussion, Director Brown made a motion to authorize ABHR to file the District Registration Form with the TCEQ. Director Skelton seconded the motion, which passed by unanimous vote.

TEXAS OPEN MEETINGS ACT TRAINING AND PUBLIC INFORMATION ACT TRAINING

Ms. Miller next distributed and reviewed a memorandum regarding Texas Open Meetings Act and Public Information Act training requirements for Directors and encouraged Director Motyka to receive his training as soon as possible and forward his certificates of completion to ABHR for inclusion in the District's permanent records. A copy of the memorandum is attached.

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 Brown 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 Skelton seconded the motion, which passed by unanimous vote.

CYBERSECURITY TRAINING REQUIREMENTS

Ms. Miller discussed annual cybersecurity training requirements for certain local government employees and elected officials pursuant to Chapter 2054, Texas Government Code and asked Director Motyka if he would like to use a District-owned tablet for District business. Director Motyka confirmed that he did not want to use a District-owned tablet at this time.

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 Skelton moved to (1) approve the bookkeeper's report; and (2) authorize payment of the bills. Director Wiggins 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 98.61% of the 2023 taxes have been collected as of the meeting date. Ms. Jurecek stated that the preliminary tax value for 2024 was \$1,310,659,289. Ms. Jurecek stated that she will present an Amendment to the Contract for the Assessment and Collection of Taxes at the July Board meeting. 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.

AUTHORIZE DELINQUENT TAX ATTORNEY TO PROCEED WITH COLLECTION OF DELINQUENT TAXES

Ms. Miller stated that the District’s delinquent tax attorney can begin collection of real property taxes that remain delinquent as of July 1, 2024. After discussion, Director Skelton moved to authorize the delinquent tax attorney to proceed with the collection of delinquent 2023 real property taxes as of July 1, 2024. Director Brown 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 driveway improvement plans are pending approval from the Harris County Engineering Department.

SANITARY SEWER REHABILITATION PROGRAM (“REHABILITATION PROGRAM”)

Mr. Webb requested the Board’s approval of a proposal for the design, bidding, and construction phase engineering services for the Rehabilitation Program in the amount of \$317,000.00.

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”)

Mr. Webb reviewed the GIS and requested that Si notify IDS of any work performed on the District’s systems for the incorporation of the data into the GIS.

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

Mr. Webb stated that the annual exterior water tank inspections have been completed. Mr. Webb stated that IDS would like to perform an interior inspection in 2025. Mr. Webb stated that IDS expects that a rehabilitation project will be needed in three to five years. Mr. Webb stated that the CIP would be updated accordingly.

DEVELOPMENT IN THE DISTRICT

Mr. Webb stated that Epiphany of the Lord Catholic Church and School

("Epiphany") expressed interest in purchasing an undeveloped tract of land east of Westgreen Blvd. Mr. Webb stated that Epiphany's property is adjacent to the tract, and that Epiphany could extend their private water and sewer lines to serve the tract.

Mr. Webb stated that Pattison Elementary School ("Pattison") is proceeding with an expansion that will replace existing portable buildings with permanent buildings. Mr. Webb stated that Pattison did not expect to need additional utility capacity.

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 construction of the WWTP Flood Mitigation project and reviewed and recommended approval of Pay Estimate No. 16 in the amount of \$54,636.99, payable to District and McDonald Municipal and Industrial ("DMMI"). Mr. Webb stated that DMMI would provide documentation from their subcontractor that an Automatic Transfer Switch was pending, and the subcontractor estimated that the project could be completed by September 16, 2024. Mr. Webb stated that IDS anticipated presenting the Change Order reflecting the time extension at the July 2024 meeting.

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

Mr. Webb stated that IDS is preparing the construction contract for the Well Mitigation Project.

PRECINCT 4 ROADWAY IMPROVEMENT PROJECT ("ROADWAY IMPROVEMENTS")

Mr. Webb stated that the plans for the Roadway Improvements are on hold pending payment from Precinct 4.

SECURITY MONITORING EQUIPMENT

Mr. Webb confirmed that Today's Integration security monitoring equipment is backed up with battery power in the event of a power outage.

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 he will obtain documentation from Baird Gilroy & Dixon, LLC regarding cybersecurity protection for the SCADA system.

The Board then discussed the replacement and repair of fencing adjacent to District facilities and the Lakes of Buckingham. Mr. Webb stated that he will obtain a proposal for a six-foot high fence with a gate and the cost to repair existing fencing for the Board's review at the July meeting.

Following review and discussion, Director Brown moved to (1) approve the engineer's report; (2) approve the proposal for the design, bidding, and construction phase engineering services in the amount of \$317,000.00; and (3) based on the engineer's recommendation, to approve Pay Estimate No. 16 in the amount of \$54,636.99. 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 95.85% 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 Wiggins 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.

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.

Ms. Lee updated the Board regarding construction of the Greenbelt Park Irrigation Rehabilitation project ("Irrigation Rehabilitation") and reviewed and recommended approval of Pay Estimate No. 1 in the amount of \$22,636.72, payable to Van Sant, to allow the contractor to begin ordering materials for the Irrigation Rehabilitation project. Ms. Lee stated that the Irrigation Rehabilitation construction contract was pending ABHR review of the contractor's bonds and insurance.

Following review and discussion, Director Brown moved to, based on the landscape architect's recommendation, to approve Pay Estimate No. 1 in the amount of \$22,636.72, subject to confirmation that the bonds and insurance had approval by ABHR. Director Skelton seconded the motion, which passed by unanimous vote.

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

Ms. Lee presented and reviewed a landscape architect's report, a copy of which is attached.

Ms. Lee stated that bids were received for construction of the Drinking Fountain Replacements in the Greenbelt. Ms. Lee recommended that the Board award the contract to Stone Castle Constructors, LLC ("Stone Castle") in the amount of \$61,603.00. The Board concurred that, in its judgment, Stone Castle 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.

Ms. Lee presented and reviewed updated conceptual exhibits for the Pavilion and Playground Amenity Enhancements project ("Enhancements"). The Board discussed the park and recreational facility planning workshop special meeting held on April 24, 2024. Director Brown asked Mr. Van Sant to provide a proposal to maintain the Enhancements.

After review and discussion, Director Wiggins moved to (1) approve the landscape architect's report; and (2) award the contract for construction of the Drinking Fountain Replacements in the Greenbelt to Stone Castle in the amount of \$61,603.00, 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 Skelton seconded the motion, which passed by unanimous vote.

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

Ms. Lee had no updates regarding this agenda matter.

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

Director Wiggins asked Mr. Hawthorne about MAC's cybersecurity process. Mr. Hawthorne stated that he will provide a proposal for Positive Pay at the July Board meeting.

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 July 15, 2024, and to hold a special meeting with KGA in the District at 11:30 a.m. on July 19, 2024, to discuss the Enhancements.

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



Ala Wiggin
Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Memorandum TOMA and TPIA	2
Memorandum Disclosure Forms	3
Bookkeeper's Report.....	3
Tax Assessor/Collector's Report	3
Engineer's Report.....	4
Operations Report.....	6
Park Maintenance Report	7
Landscape Architect's Report	7