

# MASON CREEK UTILITY DISTRICT

L.R. Forsyth  
J.G. Hamblet III  
B.C. Connolly  
R.J. Wills  
J.H. Cameron

Katy, Texas 77450  
Phone 281-578-7272  
Fax 281-578-1419

## MINUTES Meeting of the Board of Directors

The Board of Directors of Mason Creek Utility District of Harris County, Texas, convened in a scheduled regular meeting at the Mason Creek Community Center, 20201 Kingsland Blvd., Katy, Texas 77450, on October 13, 2021, at 7:30 P.M., and the roll was called of the duly elected members of the Board of Directors, to wit:

Len Forsyth	President
James G. Hamblet III	Vice-President
Brian C. Connolly	Secretary/Treasurer
John H. Cameron	Assistant Secretary/Treasurer
Robert J. Wills	Director

and all of the members were present, thus constituting a quorum. Also, present were James L. Dougherty, Jr., Attorney for the District; Lina Loaiza of Bob Leared Interests; Cynthia Colondres of Municipal Accounts & Consulting; Jose de Leon and Brenton Stamper of Venturi Engineers LLC; Joseph Ellis of McCall Gibson Swedlund Barfoot PLLC; and Kasey Lorraine and Jamie Parrott of the MCUD staff. The meeting was called to order, and in accordance with notice posted pursuant to law, the following business was transacted:

**Notices & Minutes.** Ms. Lorraine reported that the notices of the meeting had been posted as required by the Texas Open Meetings Act. Director Wills moved to approve the September 15, 2021, regular meeting minutes as presented, and Director Cameron seconded. All voted in favor.

**Public Hearing on Proposed Tax Rate.** President Forsyth formally opened a public hearing on the proposed tax rate. It was explained that the proposed tax rate was \$0.336 per \$100 of taxable value, composed of \$0.036 for M&O and \$0.300 for Debt Service. Also presented was the Publisher's Affidavit showing that the notice of the public hearing and proposed tax rate was published on September 30, 2021, in *The Katy Times*. President Forsyth asked for public presentations or comments, but there was none offered. President Forsyth then closed the public hearing. At that point, the following measure was introduced for consideration of the Board: ORDER LEVYING TAXES. Director Cameron moved, seconded by Director Hamblet, that the measure be approved and adopted in substantially the form as presented to the Board, and that the officers of the District be authorized to sign, attest and certify the measure. After due discussion, the question was called, and the motion, carrying with it the adoption of the measure, was adopted, and carried by the following vote:

Ayes: Directors Forsyth, Hamblet, Cameron, Connolly, Wills

Nays: None

A copy of said measure, as adopted, is attached to these minutes. Mr. Dougherty presented an amended District Information Form for Director's signatures, as approved by the ORDER LEVYING TAXES. He noted that the District Information Form will be recorded in the Harris County Real Property Records to give formal notice of the District's tax rate.

**Delinquencies, Etc. Delinquencies, Etc.** Ms. Lorraine presented a list of delinquent utility accounts and indicated that a notice of possible discontinuation of service had been given to each customer on the list (and each occupant, if different), and the notices included the opportunity to be heard, before discontinuation, at that night's meeting. President Forsyth then provided an opportunity for anyone to be heard regarding the accounts and discontinuations, but no one appeared or asked to be heard. Director Cameron then moved that: (i) the amount shown on the lists for each account be found to be correct and delinquent, and (ii) discontinuation of utility service be authorized for the accounts listed, unless a payment arrangement was agreed upon before discontinuation of service, in accordance with the District's standard operating procedures. The motion was seconded by Director Wills and was carried by a unanimous vote.

**Bookkeeping, Funds, Etc.** Ms. Colondres presented the bookkeeper's report including current budget (revenues and expenditures), and history of sales tax revenues. Director Connolly moved to accept the bookkeeper's report as presented. Ms. Colondres informed the Board that the BBVA account would be closed once all checks cleared. Director Cameron seconded, and all voted in favor of the motion.

**Audits, Financial Reports, Management Letters.** Mr. Ellis presented the draft audit report and a representation letter for 2021. After discussion by the Board, Director Connolly moved to approve (i.) the 2021 audit report and letter as presented, (ii.) filing of the audit and (iii.) a representation letter to the auditors. It was seconded by Director Hamblet, and all voted in favor of the motion.

**Bills, Etc.** Director Wills moved to accept the bills as presented (and authorize the checks prepared to pay them). Director Cameron seconded. The motion carried.

**Taxes.** Ms. Loaiza gave the Tax Assessor Collector report indicating total taxes collected at the end of September were \$1,420.17, leaving taxes receivable on September 30, 2021 at \$56,682.27. Total reported receipts in September were \$2,040.70. Checks were

presented in the amount of \$14,045.29. The reported percentage of collection of the 2020 taxes was 99.1%. After discussion, Director Wills moved to approve the Tax Assessor Collector's report as presented (and authorize the checks presented). Director Cameron seconded, and all voted in favor of the motion.

**Bonds, Notes, Etc. and Reimbursement.** Mr. Dougherty updated the Board and reported that he had been working with the bond counsel, the translating firm and the District's webmaster. He stated that the bond and voting information was available on the website. He also mentioned that the county newspaper publication would include the bond election information.

President Forsyth informed the Board that he was working with the Nottingham Country Community Improvement Association to assist the Association in sending out information on the proposed bonds via e-blast.

**Water Supply & Regulations and Agreements.** There was nothing to report.

**Engineering, Projects, Etc.** Mr. de Leon informed the Board that the submittals had been reviewed and approved for the Brondesbury Lift Station Conversion Project. He added that the contractor was waiting on the equipment due to long lead times.

He reported that he was coordinating with the attorney on the Contract Documents for the Rennie Lift Station Conversion. He added that he was also coordinating a consultant to finalize the design.

Mr. de Leon stated that, since the award for the Forcemain Replacement Project had been revoked, he would coordinate with the attorney and the District on insurance requirements and contract documents prior to re-bidding the project.

He reported that the final walk-thru for the pool deck project was still pending. Director Hamblet mentioned that there were sections that required removal and replacement, and he was working with Sweetwater on scheduling.

Mr. de Leon reported that the Dominion Water Plant Ground Storage Tank Recoat Project was ready to move forward and that he would coordinate with the attorney on the Contract Documents. He mentioned that he was also waiting for water well pump upgrades.

He reported that he had coordinating with the bond counsel and the District on the bond election, which was scheduled to be held on November 2, 2021.

Mr. de Leon said the survey for the Ellingham Sanitary Sewer Rehabilitation was underway and mentioned that access had been limited due to lack of response from residents.

He mentioned that the draft for the Emergency Response Plan was also underway and was due by mid-December.

Mr. de Leon presented utility request forms for projects that included Ostionera Michoacan No. 17 and El Tiempo Cantina. He added that the feasible study for Mason Garden Place was underway and would be available at the following meeting.

After discussion, Director Hamblet moved to approve the engineering report as presented. Director Cameron seconded, and all voted in favor of the motion.

**Energy & Streetlights.** There was nothing further to report.

**Regional Matters.** Director Cameron informed the Board that community meetings would no longer be held for the Barker Reservoir Project held by Harris County Flood Control District. He stated that information would be updated through the Harris County Flood Control District website. He also stated that any damage to the trails due to the project would be the responsibility of Harris County Precinct 3. He mentioned that the desilting project was completed in August 2021. He informed the Board that 17 miles of channels were desilted and out of that, 56,000 cubic yards were desilted within Mason Creek. He added that he questioned Harris County Flood Control regarding current capacity upon completion of the project and stated he was referred to the Corps of Engineers.

**Drainage, Detention/Retention.** There was nothing to report.

**STP's.** President Forsyth reported that WMMUD was working on the installation of a new automatic bar screen and that there were technical issues. He said [Cinco Regional STP committee] meeting was scheduled for the following day.

**Recreational Facilities.** Mr. Parrott reported that gates and doors around the facilities had been left opened and unlocked. He informed the board that all facilities would be checked daily as a precautionary measure. He stated that he had been working with B&B Locksmiths to provide updated maintenance.

Mr. Parrott informed the Board that tennis court maintenance was being done on a yearly rotational schedule and that he met with the Three Colors firm. He said they would not be able to make an assessment until February 2022. He said he had contacted other contractors who stated that the courts would eventually need to be replaced entirely.

**System Operations, Rates, Etc.** Mr. Parrott said he would not be able to provide a report on what the District pumped for the month of September due to a billing error.

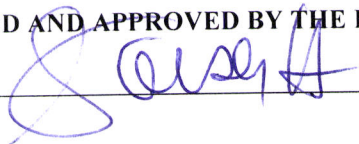
He also informed the Board that the current rates and tapping fees were outdated and warranted an increase. He mentioned that the last rate increase was several years ago. After discussion, Mr. Parrott was advised to coordinate with the Engineer to further investigate rates based on current taps, materials, labor, and equipment. After further discussion, Director Cameron moved to accept the operator's report. Director Wills seconded and all voted in favor of the motion.

**Administrative Matters.** Director Hamblet informed the Board that he was in communication with a few human resource firms. He mentioned that he was coordinating contractual information with the attorney and would have an update at the following meeting.

**Next Meeting:** The November regular meeting was scheduled for Wednesday, November 17, 2021, at 7:30 PM.

**Adjournment.** There being no further business to discuss, Director Cameron moved to adjourn. Director Wills seconded, and all voted in favor, thus passing the motion.

REVIEWED AND APPROVED BY THE BOARD on November 17, 2021

SIGNED:  \_\_\_\_\_