

# 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 **December 15, 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, except Robert Wills, 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; Doug Diehl, President, Board of Directors of Green Trails MUD; Mr. Charles Bowes, resident of the District; and Susan Saccomen and Kasey Lorraine 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. Saccomen reported that the notices of the meeting had been posted as required by the Texas Open Meetings Act. Director Connolly moved to approve the November 15, 2021, special meeting minutes as presented, and Director Cameron seconded. All voted in favor. Director Connolly moved to approve the November 17, 2021, regular meeting minutes as presented, and Director Cameron seconded. All voted in favor.

**Delinquencies, Etc. Delinquencies, Etc.** Ms. Saccomen presented a list of delinquent accounts proposed for service discontinuation (for which notices, including an opportunity to be heard, had been sent). President Forsyth provided an opportunity for anyone to be heard regarding the delinquencies or discontinuations. After it appeared that no one wanted to be heard, Director Cameron moved that: (i) the amount shown on the list 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 Connolly and carried by a unanimous vote.

**Bookkeeping, Funds, Etc.** Ms. Colondres presented the bookkeeper's report including current budget (revenues and expenditures), history of sales tax revenues, and summary of pledged security as of December 15, 2021. Director Cameron moved to accept the bookkeeper's report as presented. Director Connolly seconded, and all voted in favor of the motion.

Director Cameron then moved to receive and approve the quarterly investment report submitted by the Investment Officers and to order that a written instrument be adopted, as shown on the report, stating that the Board had reviewed the District's investment policy and investment strategies and decided to make no changes to them. Director Connolly seconded, and all voted in favor, thus passing the motion.

President Forsyth informed the Board that the District would need to acquire a new bookkeeper, as Municipal Accounts and Consulting had asked to end their contract with the District. After discussion, Director Hamblet moved to authorize McClennan and Associates as the new bookkeeping service effective January 1<sup>st</sup>, 2022. Director Cameron seconded and all voted in favor of the motion.

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

**Taxes.** Ms. Loaiza gave the Tax Assessor Collector report indicating total TY 2021 taxes collected at the end of November were \$196,045.24, leaving TY 2021 taxes receivable on November 30, 2021, at \$2,233,287.06. Total reported receipts in November were \$189,429.69. Checks were presented in the amount of \$227,524.07. The reported percentage of collection of TY 2021 taxes was 8.05% per the report, however, Ms. Loaiza informed the Board that, prior to her arrival, the collection of TY 2021 taxes had increased to 12.5%. After discussion, Director Hamblet 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.** There was nothing to report.

**Water Supply & Regulations and Agreements.** Mr. Doug Diehl, President, Board of Directors of Green Trails MUD, informed the Board that a maintenance project would be require that their single ground storage tank be taken offline. He stated that a contract had already been awarded and that the project would tentatively begin March 1, 2022, when weather conditions and supply and demand for water would be more favorable. After discussion, Director Hamblet moved to (i) authorize an inspection and flow test of the MCUD

system to determine if there would be adequate supply, (ii) authorize the President to work with the attorney, the engineer, operator to prepare an amended agreement, based upon the results of the inspection (iii) accept the rates for water supply to Green Trails MUD during the project, as proposed by Mr. Diehl. Director Connolly seconded and all voted in favor of the motion.

**Engineering, Projects, Etc.** Mr. de Leon informed the Board that construction was underway for the Brondesbury Lift Station conversion project. He presented Pay Application No. 1 in the amount of \$42,300.00 and his recommendation for payment in the amount of \$38,070.00 (amount of pay application less 10% retainage). After discussion, Director Cameron moved to authorize Pay Application No. 1 in the amount of \$38,070.00 as presented. Director Hamblet seconded, and all voted in favor of the motion.

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

Mr. de Leon reported that both the force main replacement project and Dominion Water Plant ground storage tank recoat project would be advertised after the holidays, based on consultation with the President and operator. He added that insurance requirements were finalized after changes were made previously (after discussion with the Board).

Mr. de Leon reported that the final punch list items for the pool deck replacement project were pending and that demolition had begun. Director Hamblet informed the Board that the project had come to a halt due to positive COVID-19 results.

After discussion, Mr. de Leon stated he would investigate with the Engineer from Green Trails MUD to avoid the projects overlapping.

Mr. de Leon said the survey for the Ellingham sanitary sewer rehabilitation was complete and design was underway.

He mentioned that the draft for the Emergency Response Plan was also underway and would be finalized and submitted by the end of December. Mr. Stamper stated that the District already had an Emergency Response Plan, which would be updated and certified upon completion. Director Cameron moved to approve the engineering report as presented. Director Hamblet seconded, and all voted in favor of the motion.

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

**Regional Matters.** Director Cameron presented information regarding the Willow Fork Drainage District's (WFDD) Barker Project. He noted that work on the project indicated that more storage capacity for flood waters was needed, and the project cost was \$24,000,000. He added that WFDD was asking other districts to help fund \$12,000,000 for the project. He stated that WFDD was seeking a portion of the \$2.5 million previously granted to Harris County Flood Control

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

**STP's.** President Forsyth reported that the WMMUD plant was operating and in compliance. He stated that they were still setting up the new generator. He added that they were also remodeling their office.

He also reported that Cinco MUD #1 was asking about increasing the ground storage capacity for from 1,200,000 gallons to 2,400,000 gallons for its water reuse project.

He also reported that surveillance cameras were installed at the Cinco Regional STP and were in use. He mentioned that the trunk rehabilitation project was in the design phase and pending finalization before going out for bid. He stated MCUD was not included in the phase to be affected by the project, so there would be no cost to MCUD. He added that two pumps had failed at the plant and were pending replacement.

**Recreational Facilities.** Ms. Saccomen reported that the District office had received phone calls for MCCC use. After discussion, there was no action taken, but the President indicated it would be discussed at the following meeting.

**System Operations, Rates, Etc.** There was nothing to report.

**Administrative Matters.** President Forsyth informed the Board that he and Director Hamblet had reviewed wages and the cost of living increases due to COVID-19. He stated that they had developed a new wage schedule to be effective January 1<sup>st</sup>, 2022.

President Forsyth also informed the Board that, because of an increase in administrative duties, he suggested that the current part time position be absorbed into a full-time position. After discussion, Director Connolly approved Samantha Saccomen as a full-time employee of the District, effective January 1<sup>st</sup>, 2022. Director Cameron seconded and all voted in favor of the motion.

President Forsyth presented a recommendation for the annual payment for the District's SEP/IRA program in the amount of 10% of individual annual salaries for full time employees of the District and a one-time payment of \$250 for the part-time employees. Director Hamblet moved to authorize the payments as recommended. The motion was seconded by Director Connolly and passed unanimously.

Ms. Saccomen presented a proposed 2022 District holiday schedule. She added that the number of holidays would be unchanged from the prior year. After discussion, Director Hamblet moved to approve the 2022 District holiday schedule as presented. The motion was seconded by Director Connolly and was carried by a unanimous vote.

Mr. Dougherty presented a revised portion of the rate order with rate changes previously presented by Mr. Parrott. He mentioned the updated rates would reflect the proposal from the previous month. After discussion, Director Connolly moved to approve an amended rate order that included those rate changes. The motion was seconded by Director Cameron and carried by a unanimous vote.

Mr. Dougherty explained that it was necessary to start advance preparations for the 2022 director election. After discussion, Director Connolly made a motion that:

(i) the District declare its intention to hold the May 2022 director election without providing a voting station that meets the requirements for accessibility under 42 U.S.C. Section 15481(a)(3) on election day and during the period for early voting by personal appearance; and the District authorize the staff to publish notice in a newspaper of general circulation in an area that includes the District regarding such intent, in accordance with Section 49.111 of the Texas Water Code;

(ii) the Board approve the appointment by the Secretary of an agent and election office, as follows:

Name of agent: Susan Saccomen

Address of office: 847 Dominion Drive, Katy, Texas 77450

Office hours: From 9:00 AM to 12:00 PM (minimum 3 hours) on regular business days  
during the period from January 19, 2022, or sooner to June 16, 2022, or later.

(iii) the Board authorize the posting of notice of such appointment and the beginning and ending dates for filing applications for places on the ballot, as required by state law; and

(iv) the Board authorize the President, the Secretary, the staff, and the attorney (each) to take such other actions as may be necessary or convenient for election preparation.

**Next Meeting:** The January regular meeting was scheduled for Wednesday, January 12, 2021, at 7:30 PM at the Mason Creek Community Center.

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

REVIEWED AND APPROVED BY THE BOARD on January 12, 2022

SIGNED: 