

MASON CREEK UTILITY DISTRICT

L.R. Forsyth
J.G. Hamblet III
B.C. Connolly
J.K. Nordhaus
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MINUTES Meeting of the Board of Directors

The Board of Directors of Mason Creek Utility District of Harris County, Texas, convened in a **special meeting**, at the Mason Creek Community Center, 20201 Kingsland Blvd., Katy, Texas 77450, on **February 24, 2022**, at 6:30 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
James Kevin Nordhaus	Director

and all of the members were present, thus constituting a quorum. Also, present were James L. Dougherty, Jr., Attorney for the District; Jose de Leon and Brenton Stamper of Venturi Engineers LLC; and Susan Saccomen 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. Saccomen reported that the notices of the meeting had been posted as required by the Texas Open Meetings Act.

Election Matters. Mr. Dougherty informed the Board that the law allows the Secretary of the Board to make a certificate of Unopposed Candidates if the number of candidates is less than or equal to the number of positions being filled. Since that is the case, the Secretary did present a signed Certification of Unopposed Candidates for Mason Creek Utility District. Mr. Dougherty explained further that the Board was obligated to officially cancel the election, and declare the candidates that filed, as elected. He presented a state-prescribed form for an "Order Of Cancellation." Director Cameron moved to adopt the order. The motion was seconded by Director Connolly, and all voted in favor of the motion.

Engineering, Projects, Etc. Mr. Stamper reminded the Board that Blastco Texas, Inc. had submitted a letter to the District requesting withdrawal of their bid without penalty. Mr. Stamper concurred that the error made by Blastco Texas, Inc., and the magnitude of the error, made it impossible to recommend Blastco Texas, Inc. for the project. He added that the committee investigated MK Painting, Inc. and Nova Paintings, LLC for the Dominion Water Plant GST Recoat Project. He noted that it was concluded that MK Painting, Inc. had omitted projects for the required list of projects, failed to identify projects of similar work as required, and it was verified that MK Painting, Inc. is not registered with the Texas Secretary of State, which is required of all businesses transacting in the state of Texas. Nova Paintings, LLC was also investigated, and it was verified that the references provided were sound. He also checked the current project underway, and no irregularities were found. Mr. Stamper noted that there was an irregularity in the bid bonds, but Mr. Dougherty had received assurances from the surety that they would honor the official bond. He noted that this irregularity was minor and waivable. Mr. Stamper presented the recommendation letter; (i) not award the contract to Blastco Texas, Inc. or MK Painting, Inc.; (ii) waive the irregularities of the Nova Paintings, LLC bid mentioned; (iii) found and determined that Nova Paintings, LLC was a "responsible person" and that awarding it the contract would be most advantageous to the District; (iv) award the contract to Nova Paintings, LLC on its bid in the amount of \$265,000. After discussion, Director Cameron moved to adopt the resolution awarding the contract for the Dominion Water Plant GST Recoat Project to Nova Paintings, LLC in the amount of \$265,000. The motion was seconded by Director Hamblet, and all voted in favor of the motion.

Next Meeting: The March regular meeting was scheduled for Wednesday, March 16, 2022, at 7:30 PM at the Mason Creek Community Center.

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

REVIEWED AND APPROVED BY THE BOARD on March 16, 2022

SIGNED: 