

# MASON CREEK UTILITY DISTRICT

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## MINUTES Meeting of the Board of Directors

The Board of Directors (“Board”) of Mason Creek Utility District of Harris County, Texas (“District”) convened in a **special meeting** at 847 Dominion Dr., Katy, Texas 77450, on **February 1, 2023**, at 6:30 P.M. The duly elected members of the Board of Directors were:

Len Forsyth	President
Brian C. Connolly	Vice President
James K. Nordhaus	Secretary/Treasurer
Frederick Castellano	Assistant Secretary/Treasurer
John Cameron	Director

and all 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, Kasey Lorraine, Samantha 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. Susan 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 January 11, 2023, regular meeting minutes as presented, and Director Cameron seconded. President Forsyth abstained, but all others voted in favor, so the motion was passed.

**Bookkeeping, Funds, Etc.** There was no report or action.

**Bills, Etc.** Ms. Saccomen presented two invoices from McIllhenny, Inc. for siding repair and replacing of doors of the West Room at the community center. Director Cameron moved to accept the bills as presented (and authorized the check prepared to pay them). Director Connolly seconded. The motion was carried by a unanimous vote.

**Engineering, Projects, Etc.** Later in the meeting, Mr. de Leon and Mr. Stamper gave presentations of the District’s history, infrastructure, wells, lift stations, etc., as well as ongoing and future projects related to the infrastructure.

**Recreational Facilities, Etc.** Mr. Dougherty provided a list of items to discuss for the omnibus rate order amendment. Ms. Lorraine informed the Board that there was a problem with getting tennis league dues in a timely manner, and many times payments were returned as insufficient funds. Ms. Lorraine explained that the District was experiencing problems with returned payments from tennis league participants. She recommended the District require certified funds for tennis league payments. After discussion, The Board requested preparation of an amended rate order to require certified fund payments for the tennis league fees and that the fees come from one person per team. President Forsyth opened the discussion regarding increasing the non-resident league fees. After discussion, The Board requested preparation of an amended rate order to increase the non-resident league fee to \$35.00.

President Forsyth opened the discussion regarding increasing and streamlining the fee/deposit schedule for the rental of the community center rooms. After discussion, the Board requested preparation of an amended rate order to change the rates and deposits to:

Houghton Room and West Room	Deposit - resident and non-resident rentals	\$500
	Usage Fee - resident	\$200 for each time block (9 am -4 pm or 5:30 pm-10:30 pm)
	non-resident	\$350 for each block of time (same as above)
Kingsland Room	Deposit – resident	\$1,000
	non-resident	\$1,200
	Usage Fee – resident	\$700 (four-hour minimum) and \$120/hour for additional hours \$1200 for all day (9 am – midnight)
	non-resident	\$900 (four- hour minimum) and \$150/hour for additional hours \$1800 for all day (9 am – midnight)

Non-residents must pay the deposit and usage fee by certified funds.

It was further decided that Mr. Dougherty and office staff would provide a suggested list of violations and fees associated with the violations to add to the rate order and bring it to the Board at the next meeting.

Ms. Lorraine asked the Board for clarification on whether alcohol was allowed during pool party rentals. After discussion the Board requested preparation of an amended rate order to state that alcohol would not be allowed to be consumed during a pool party event. Ms. Saccomen asked that the rate order be amended to specify that pool parties could only be held during pool season and after pool hours. The Board indicated its concurrence.

Mr. Dougherty asked the Board for clarification regarding the requirement that permits must be signed by a resident only. The Board determined that since a non-resident was allowed to rent the facility without a resident's approval, that requirement should be removed. Mr. Dougherty asked the Board for clarification on permits being required for tennis court access and pool tags. After discussion, the Board asked Mr. Dougherty and the office staff to present a recommendation regarding tennis key and pool access tag forms at the next meeting.

President Forsyth opened a discussion regarding the anti-trespassing law i.e. removing a person from the premises. After discussion, the Board decided not to request any change.

President Forsyth opened a discussion regarding customer deposits for water/sewer accounts. After discussion, the Board requested preparation of an amended rate order to provide for: a customer deposit increase to \$300 (minimum) for non-homestead SFR accounts, no deposit for commercial accounts, and no deposit for secondary meters.

Ms. Saccomen asked for clarification regarding the District holiday schedule. She noted the rate order specifies the days to be taken for holidays, but there was also a Holiday Schedule document that is approved each year. After discussion, the Board decided to request preparation of an amended rate order to remove the holiday list from the rate order and approve the holiday schedule by motion each year.

Mr. Dougherty opened a discussion regarding the Public Information Act state-mandated training requirements. He stated that the Board could designate one person to take the training in lieu of all officers. After discussion, the Board requested preparation of an amended rate order to designate Ms. Saccomen as the PIA coordinator to take the required training.

Director Connolly opened a discussion regarding the Board meeting times. After discussion, the Board agreed to request preparation of an amended rate order to move the regular meeting time to 6:30 pm.

Mr. Dougherty asked for clarification regarding the protective devices for connections i.e., backflow preventers, grease trap inspections and unmetered fire lines. After discussion, the Board indicated its intention to leave the grease trap inspection requirements unchanged and asked Mr. Parrot to determine the costs related to adding meters (or check devices) to the currently unmetered fire taps (and present his findings to the Board). Also, the Board indicated its intention to leave backflow preventer requirements unchanged.

Mr. Dougherty informed the Board that civil penalties were allowed for violations related to plumbing codes and similar type violations, but civil penalties were not part of the rate order. After discussion, the Board asked that civil penalties for such violations be added to the rate order.

The Board requested an amended rate order with all above changes be brought to the February 15, 2023 regular meeting.

**System Operations, Rates, Etc.** There was no report or action.

**Administrative Matters.** There was no report or action.

**Next Meeting:** The February regular meeting was scheduled for Wednesday, February 15, 2023, at 7:30 PM at the District Main Office.

**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 February 15, 2023.

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

