

# MASON CREEK UTILITY DISTRICT

L.R. Forsyth  
J.H. Cameron  
B.C. Connolly  
J.K. Nordhaus  
F.J. Castellano

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

## 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 **re-scheduled regular meeting** at the Mason Creek Community Center, 20201 Kingsland Blvd., Katy, Texas 77450, on **March 08, 2023**, at 6:30 P.M. The duly elected members of the Board of Directors were:

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

and all the members were present, thus constituting a quorum.

Also, present were James L. Dougherty, Jr., Attorney for the District; Lina Loaiza of BLICO, Inc., the District's tax assessor-collector; Derek Davenport of McClennan and Associates; Brenton Stamper of Venturi Engineers LLC; and Susan Saccomen, 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. 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 February 15, 2023, regular meeting minutes as presented, and Director Nordhaus seconded, and the motion was passed.

**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.** Mr. Davenport presented the bookkeeper's report including the cash disbursement report for February 16<sup>th</sup>, 2022, through March 8<sup>th</sup>, 2023.

Mr. Davenport also presented the investment report for the period ending February 28<sup>th</sup>, 2023. Director Cameron moved to accept the investment report, as presented, 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. The motion passed unanimously.

After discussion, Director Cameron moved to accept the bookkeeper's report as presented. Director Connolly 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 Connolly seconded. The motion was carried by a unanimous vote.

**Taxes.** Ms. Loaiza gave the Tax Assessor Collector report indicating total TY 2022 taxes collected at the end of February were \$2,434,571.04, leaving TY 2022 taxes receivable on February 28, 2023, at \$135,962.33. Total reported receipts of TY 2022 taxes in February were \$235,819.63. Checks were presented in the amount of \$242,002.59. The reported percentage of collection of TY 2022 taxes was 96.6%. Director Cameron moved to approve the Tax Assessor Collector's report as presented (and authorize the checks presented). Director Connolly seconded, and all voted in favor of the motion.

**Bonds, Notes, Etc. and Reimbursement.** There was no report or action.

**Water Supply & Regulations and Agreements.** There was no report or action.

**Engineering, Projects, Etc.** Mr. Stamper informed the Board that he had made contact with the valve manufacturer and found that the valves for the Brondesbury Lift Station would be shipped to the project site. Mr. Stamper noted that the distributor would coordinate with Walsh Construction before shipping the valves. He added that a conference call with Director Connolly and Mr. Dougherty was set to discuss the project and the valves. Mr. Stamper noted that he had continued to reach out to Mr. Walsh, but the calls were not returned. There was discussion, but no Board action was taken.

Mr. Stamper said that he was awaiting the schedule from the contractor for the Rennie Lift Station Conversion project.

Mr. Stamper also reported that after discussions with Mr. Dougherty, it was determined that a public hearing for the Drought Contingency Plan must be held. Mr. Dougherty added that District's Drought Contingency Plan was based off the TCEQ model which required public input and notice to the regional water planning group before the plan could be adopted. Mr. Dougherty recommended the Board authorize a notice of public hearing to be set at the April 12, 2023 Board meeting and to authorize sending the proposed drought contingency plan to the regional water planning group. Director Connolly moved to authorize both. Director Cameron seconded, and the motion was unanimously passed.

Mr. Stamper reported that the emergency waterline replacement projects had been completed. He said he would schedule a final project "walk through" with the contractor for the following week and would issue a punch list if necessary.

Mr. Stamper reported that he was working with Mr. Dougherty on the required documents for Section 1 of the Sanitary Video project and would bring a timeline related to the project's contract documents, notice of bid, etc. to the next Board meeting.

Further, Mr. Stamper informed the Board that the proposal for Dominion Elevated Storage Tank coating inspection had been executed, and the inspection would begin in early April.

Mr. Dougherty opened a discussion regarding the use of the property adjacent to the Rennie Lift Station. The Board authorized an agreement between the District and Pioneer Construction Services LLC, the contractor for the lift station conversion project, to provide a location for the contractor to store their equipment. Mr. Dougherty informed the Board that Rennie Park, which is next to the Rennie Rd. lift station, had been deeded to the NCCIA, but a 30-foot section of the area was held back as an easement. He added that in the twenty or so years since then, the park had expanded and encroached on the District's easement. After discussion, the Board decided to contact the NCCIA to inform them of the project, the easement situation and to offer assistance in moving items that were encroaching on the easement. Mr. Parrot added that the contractor may not want to use the area because of the power lines, and he would schedule a meeting for a "walk through" with the contractor and bring the findings back to the Board.

President Forsyth reported that in 2021, the District received an application for utility services for condominiums to be built in the vacant tract on Shillington Drive. He said that the District had sent a letter of agreement that stated the requirements for approval. He noted that there had been several deficiencies and that the District had notified the company of these deficiencies, and the company had never responded. President Forsyth added that District had received a new request with a preliminary plat that did not address the deficiencies. Mr. Dougherty noted that the letter had expired, and the company had submitted the preliminary plat to the City of Houston for approval but needed a utility approval letter from District. After discussion, the Board asked Mr. Dougherty to respond to the request stating that the original letter had expired, and the deficiencies were not addressed. After discussion, Director Connolly moved to approve the engineering report as presented. Director Cameron seconded, and all voted in favor of the motion.

**Energy & Streetlights.** Director Cameron reported that P3 meeting was scheduled for March 14<sup>th</sup>. He added that he and Mr. Dougherty were working on a report on electricity conservation and whether the District was required to complete the report. Mr. Dougherty noted that after detailed discussions, it was determined that the any electricity used for water/sewer facilities is not counted toward the \$200,000 threshold level in the state law. Therefore, the District was below the \$200,000 threshold, and was not required to file the report. Mr. Dougherty said that a local plan was required every 5 years. After discussion, the Board asked Director Cameron and Mr. Dougherty work together to determine whether it was cost-effective to have a local plan prepared and report back to the Board.

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

**Drainage, Detention/Retention.** There was no report or action.

**STP's.** President Forsyth reported that WMMUD had one of its units down for repairs. He also noted that the 40-year contract with WMMUD was about to expire, and a new contract was being drafted. President Forsyth reported that Cinco STP was operating normally.

**Recreational Facilities, Etc.** Mr. Parrott reported that the approved electrical repairs to remove all hazards in the attic had been completed. He added that if the Board wanted to have further electrical work performed to completely clean up the electrical area of the attic, it would take another three to five days and cost \$1,600 per day. After discussion, the Board asked Mr. Parrott to check the attic to determine if the extra work was warranted.

Mr. Parrott also stated that the replacement of the siding and doors for the West Room had been completed and no extra work was required at that time. He noted that nine tennis lights had been purchased, but some of the existing footings for the lights may need to be replaced. He said he would contact the welder to see if the old footings could be retro-fitted for the new lights.

Mr Parrot said that he was getting a quote for repairs to the tennis court bathroom partitions and roof. He said he would bring it to the Board.

**System Operations, Rates, Etc.** Mr. Parrott reported that the total water pumped in February was 18,512,000 gallons and consumption was 17,339,000 gallons, leaving a water loss of 1,173,000 or 7 %.

Mr. Parrott reported that the motor for the Houghton water plant booster pump had been repaired, installed and put back in operation. He added that the second booster pump would be inspected. He also noted that the gate to the Houghton plant site was broken and had to be replaced. He said the gate opener was replaced as well.

Mr. Parrott informed the Board that the foundation work for the Operations building was scheduled for March 13<sup>th</sup>.

Mr. Parrott also informed the Board that he would begin draining the elevated tower beginning March 20<sup>th</sup> for the inspection starting on April 3<sup>rd</sup>. He added that it was estimated that the tower would be back in operation after 15 days.

Mr. Parrott reported that the original power pole at the plant site across from the District office needed replacing. He said he had ordered a concrete pole replacement and scheduled the work while the elevated tower was down for inspection.

He reported that the prior month's service line replacement at Vanderwick and Sherfield Ridge had been completed, and the Kempsford service line repair would begin the following Monday. He said it should take a week to complete the service line installation with yard repairs to follow. He noted that sink holes had been reported on Barkston and at Kingsland Baptist Church. Both areas were televised, and 174 feet of sewer line were replaced in the rear easements along Barkston, and 43 feet were replaced at the church property along Rennie. He added that Section 6 continues to be televised with approximately 1900 feet left to be televised.

**Administrative Matters.** Ms. Saccomen reported that the pool tags had been ordered and should be delivered by the first week of April. President Forsyth submitted to the Board the cost of living and merit raises that would be effective for the current pay period. He also reported that the Operations Department employee John Sotello III would be moved to full-time status as well.

**Next Meeting:** After discussion, Director Connolly moved to approve the regular meeting for Wednesday, April 12, 2023, at 6:30 PM at the District Main Office. Director Nordhaus seconded, and the vote passed unanimously.

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

REVIEWED AND APPROVED BY THE BOARD on April 12, 2023.

SIGNED: 