

**MASON CREEK UTILITY DISTRICT**  
847 Dominion Dr., Katy, Texas 77450

**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 **scheduled regular meeting** at 847 Dominion Dr., Katy, Texas 77450, on **October 16, 2024**, at **6:30 P.M.** The duly elected members of the Board of Directors were:

Brian C. Connolly	President
James K. Nordhaus	Vice President
Fredrick J. Castellano	Assistant Treasurer
John H. Cameron	Director
Joe M. Adams	Director

and all the members were present, except Director Cameron, 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; Jose de Leon and Benton Stamper of Venturi Engineers LLC; and Susan Saccomen and Jamie Parrott of the District’s staff. The meeting was called to order, and, in accordance with notice posted pursuant to law, the following business was transacted:

**Notices & Minutes.** After the qualification of Mr. Adams, Ms. Susan Saccomen reported that the notice of the meeting had been posted as required by the Texas Open Meetings Act. Director Castellano moved to approve the regular meeting minutes for September 11<sup>th</sup>, 2024, and Director Nordhaus seconded. The motion passed.

**Officers, Etc.** Mr. Adams, who had been appointed to fill a vacancy on the Board (for the unexpired portion of the term), signed the constitutional written statement and filed it with Ms. Saccomen. He then took the Oath of Office and signed his Official Bond. Director Castellano moved to accept and approve Mr. Adams’s written statement, oath and bond and to find and determine that Mr. Adams had qualified to hold the office of Director. Director Nordhaus seconded, and all voted in favor.

**Hearings, Etc.** Ms. Saccomen indicated that there were no hearings because there were no delinquent accounts at that time,

**Bookkeeping, Etc.** Mr. Davenport presented the bookkeeper’s report including the cash disbursement report for September 15<sup>th</sup>, 2024, through October 16<sup>th</sup>, 2024. Mr. Davenport informed the Board that the Prosperity Bank CD 8605 had matured, but there was a ten-day grace period should the Board decide not to renew. After discussion, the Board decided to move the Prosperity Bank CD proceeds to TexPool. Mr. Davenport also presented the investment report for the period ending September 30<sup>th</sup>, 2024. Director Castellano moved to accept the investment report, as presented, and to order that a written instrument be adopted, as shown in 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 Nordhaus seconded. The motion passed unanimously. After discussion, Director Nordhaus moved to accept the bookkeeper’s report as presented. Director Castellano seconded, and all voted in favor of the motion.

**Bills, Etc.** Director Castellano moved to accept the bills as presented (and authorize the checks that had been prepared to pay them). Director Nordhaus seconded. The motion was carried by a unanimous vote.

**Taxes.** Ms. Loaiza gave the Tax Assessor-Collector report indicating the total TY 2023 taxes collected during September were \$2,534.96, leaving TY 2023 taxes receivable on September 30, 2024, at \$73,263.48. Total reported receipts of TY 2024 taxes were \$10,021.21. Checks were presented in the total amount of \$26,463.73. The reported percentage of collection of TY 2023 taxes was 99.16%. Director Castellano moved to approve the Tax Assessor Collector’s report as presented (and authorize the checks presented). Director Nordhaus seconded, and all voted in favor of the motion.

President Connolly formally opened a public hearing on the proposed tax rate. It was explained that the proposed tax rate was \$0.30137 per \$100 of taxable value, composed of \$0.27357 for maintenance and operation and \$0.0278 for debt service. Also presented was a publisher’s affidavit showing that the notice of the public hearing and proposed tax rate was published on September 26, 2024, in *The Katy Times*. President Connolly asked for public presentations or comments, but there was none offered. President Connolly then closed the public hearing. At that point, the following

measure was introduced for consideration of the Board: ORDER LEVYING TAXES. Director Castellano moved 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. The motion was seconded by Director Nordhaus. 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 Connolly, Nordhaus, Castellano, Adams

Nays: None

A copy of said measure, as adopted, was filed with the records of the meeting. 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 would be recorded in the Harris County Real Property Records to give formal notice of the District's tax rate, and it included a "NOTICE TO PURCHASERS" in the form required by a new state law. The amended form was signed and notarized.

**Water Supply, Etc.** There was no report or action taken.

**Engineering, Projects, Etc.** Mr. Stamper informed the Board that the Brondesbury Lift Station was operational, but there were a few issues that need to be addressed. He added that the auto-dialer had a few settings that required adjustments as well. Mr. Stamper said he expected the final pay application to be presented at the next Board meeting. Mr. Dougherty reported that the District had received a claim from A&H Coating Services, LLC. He recommended that the District send a letter accompanied by a copy of the bonds and the contract. He also stated that A&H Coating Services, LLC's could file a claim against the payment bond. Mr. Stamper also presented and recommended Change Order #7, which increased the contract price by \$3,724.38 for the installation of additional pressure gauges. After discussion, Director Nordhaus moved to approve Change Order #7 as presented. Director Castellano seconded, and the motion unanimously passed.

Mr. Stamper reported that he was waiting for the final pay application for the Rennie Lift Station Conversion. He also reported that work on the Section 6 Sanitary Sewer Rehabilitation project was underway. He stated that he had a meeting with Taylor High School maintenance staff to discuss and coordinate the work on Kingsland Blvd. scheduled to begin the following week. He presented and recommended Contractor's Application For Payment No. 1 in the amount of \$429,808.50 (after deducting ten percent retainage). After discussion, Director Castellano moved to approve the application as presented. Director Nordhaus seconded, and all voted in favor of the motion.

Mr. Stamper informed the Board that a pre-construction meeting for the Galleon Oaks GST Improvement project was held on October 3<sup>rd</sup>, and work was scheduled to begin October 24<sup>th</sup>.

Mr. Stamper reported that the survey and design for the Section 1 and 2 Sanitary Sanitary Sewer Rehabilitation project were underway, with permits and bid preparation to follow in the next two months. He also reported that he had been working with the District Operator to determine the proper motor size for the Dominion Well. He added that a smaller sized motor might work, but he would be confirming feasibility with the electrical engineer.

Mr. Stamper reported that there was a major waterline break on Sherfield Ridge and Park Bend. He presented Work Order #24-124 in the amount of \$24,500.00 for engineering services related to an emergency repair. He added that it would include applications for emergency approval from TCEQ and local agencies. After discussion, Director Adams moved to approve Work Order #24-124 as presented. Director Nordhaus seconded, and all voted in favor of the motion.

Mr. Stamper informed the Board that he was still waiting for more information from Green Trail Apartments and Green Trails MUD regarding the proposed emergency interconnect. He said he would keep the Board updated.

Mr. Stamper noted that Me. De Leon had conveyed the District's requirements to HCMUD No. 345 regarding its request for an interconnect with the District, and he said he would update the Board at the November meeting.

Mr. Stamper, Mr. de Leon, and Mr. Dougherty reported that they had conferred with the developer of the Mason Garden project (on Shillington Drive) earlier that day. They indicated that the developer would contact the City of Houston regarding the platting of easements and requests made by the District. The engineers added that the developer would come back to the Board for water and sewer requests once the City of Houston had approved the plat.

Mr. Stamper presented photographs of the Renie Lift Station and the ongoing construction of the Section 6 Sanitary Rehabilitation project.

Director Nordhaus moved to accept the engineering report. Director Adams seconded, and the motion passed unanimously.

**Energy & Streetlights.** There was no report or action taken.

**Multi-Agency Matters.** There was no action taken.

**STP's.** Director Nordhaus informed the Board that work on the West Memorial STP transfer switch would take approximately one year. He added that he would attend the Cinco STP meeting scheduled for later that week.

**Recreational Facilities, Etc.** There was no action taken.

**Operations & System Matters, Development, Etc.** Mr. Parrott reported that the total water pumped from August 16<sup>th</sup> through September 15<sup>th</sup> was 35,276,000 gallons, and consumption was 33,460,000 gallons, indicating a possible loss (or unaccounted-for amount) of 1,809,000 gallons, or 5.13%. He presented photographs of a large leak that occurred the preceding Thursday near the Ford dealership. He noted that approximately 24 feet of 12-inch pipe had to be replaced. He said that approximately 30 feet of sidewalk would also need to be replaced. Mr. Parrott informed the Board that all the parts for the Houghton Well transfer switch were delivered. He said the contractor had bench-tested the switch as recommended by the manufacturer, but unfortunately the wrong parts were sent again. He added that it was the fourth time the District had received the incorrect parts for the transfer switch, but a new part was being sent overnight. Mr. Parrott informed the Board that the claims and repairs for the two trucks involved in accidents were settled.

**Administrative Matters.** Mr. Dougherty presented the latest draft of the HR handbook for the Board's review. He asked the Board to review the draft and especially the sections related to paid holidays and overtime. He noted that, per the Board's previous decision, employees were paid by the hour and were eligible for overtime pay. Mr. Parrott approached the Board regarding tenured employees who would like to reduce the hours worked but keep their insurance coverage. Mr. Parrott noted that he had contacted the health insurance carrier to see if they had any requirements for determining an employee's status as full or part-time. He added the insurance company indicated that the employer determines the full and part time requirements, and that insurance companies avoid using the term "parttime." He said he had discussed this with Mr. Dougherty and came up with a sliding scale for tenured employees who wanted to work reduced hours and keep their insurance. He said the employee could be responsible for a percentage of the cost of insurance based on the percentage of full-time hours worked. Mr. Dougherty also noted that a position chart was proposed to be inserted into the handbook to allow employees the opportunity for advancement during the year and not have to wait for the annual review to receive a pay increase. Mr. Dougherty said that this would all be reviewed by the committee and presented to the Board in the following meetings.

Ms. Saccomen opened discussions regarding the December meeting with holiday supper. The Board agreed that the supper would continue to be held after the regular December Board meeting, which was set for December 11<sup>th</sup> that year. Ms. Saccomen asked the Directors to look over the invitation list and make suggestions for changes.

**Next Meeting:** Director Nordhaus moved to approve the regular meeting set for Wednesday, November 13<sup>th</sup>, 2024, at 6:30 PM at the District's office. Director Castellano seconded, and the motion passed unanimously.

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

REVIEWED AND APPROVED BY THE BOARD on November 13, 2024.

SIGNED: 