



*The Board of Directors of New Caney Municipal Utility District of Montgomery County, held a Regular Meeting, open to the public, September 15th, 2022, at 6:00 p.m., and the roll was called of the duly constituted officers to wit:*

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**BILL SMITH-PRESIDENT**  
**JERRY VERNON-VICE PRESIDENT**  
**TONY MARTINEZ JR.-SECRETARY**  
**MATT PETERSON-ASST. SECRETARY/TREASURER**  
**DOROTHY RAWLINSON-ASSISTANT SECRETARY/ASSISTANT TREASURER**

Thus, constituting a quorum.

Also, present: Ricky McDonald-General Manager, Lisa Latham- Office Manager, Cory DeSpain-Asst. General Manager, Jackie Orrick – Office Assistant, Alan Petrov with Johnson Petrov LLP, Bill Blitch – Financial Advisor, Kevin Arnet and Jay Norris – LJA Engineering, Mike Others – Auditor, Gloria Zapata, and Ann Vickery.

Conduct Public Hearing Concerning Proposed Tax Rate for 2022 for the District

The meeting opened at 6:03pm for Public Hearing for the 2022 Proposed Tax Rate for the District for 37.5 cent tax rate for Debt Service, resulting in a deduction from last year.

The meeting closed at 6:05pm for Public Hearing for District Tax Rate.

Conduct Public Hearing Concerning Proposed Tax Rate for 2022 Hendricks Defined Area

The meeting opened at 6:05pm for Public Hearing for the 2022 Hendricks Defined Area Tax Rate of .25 for Debt Service and .30 for Maintenance for a total of \$ .55. There is no comparison to last year.

The meeting closed at 6:06pm for Public Hearing for the 2022 Hendricks Defined Area Tax Rate.

Discuss and Adopt Order Setting Rate and Levying Tax for 2022 for the District

A motion was made by Dorothy Rawlinson and seconded by Jerry Vernon to Accept and Adopt the Order Setting Rate and Levying Tax for 2022 of \$.37 per \$100. All voted for. Motion Carried

Discuss and Adopt Order Setting Tax Rate and Levying Tax for 2022 for Hendricks Defined Area

A motion was made by Matthew Peterson and seconded by Tony Martine.25 for Debt Service and .30 for Maintenance in the total of .55 per \$100 for Hendricks Defined Area. All voted for. Motion carried.

Citizen's presentations and requests, and take appropriate action in connection with the grant of utility commitments and billing adjustments

No citizen's presentations or requests.

Approve Minutes for August 18<sup>th</sup>, 2022, Regular meeting.

A motion was made by Jerry Vernon and seconded by Tony Martinez to Approve the Minutes for the August 18<sup>th</sup>, 2022 Regular Meeting. All voted for. Motion carried.

**Old Business**

Approve uncollectible accounts August 2022 for \$1,344.92.

A motion was made by Jerry Vernon and seconded by Tony Martinez to Approve the uncollectible accounts in the amount of \$1,344.92 for August 2022. All voted for. Motion carried.

Discuss Possible Acquisition of Easements and Approve any Necessary Action to be taken, including approval of Orders Declaring a Public Necessity and Authorizing the Institution of Condemnation Proceedings.

Jay Norris updated the board on all parcel progress with handout for line itemed notes per parcel and discussed applicable next steps.

A motion was made by Matthew Peterson and seconded by Tony Martinez to Direct our Right of Way Agent to offer Mr. Rodriguez \$3,500.00 for the right of way that he counter-offered at \$5,000.00. All voted for. Motion carried.

Recess at 6:17pm

Re-open at 7:06pm

**New Business**

Consider and Take Action to Amend the District's Information Form

A motion was made by Matthew Peterson and seconded by Tony Martinez to Amend the District's Information Form filed with Montgomery County with the new District Tax Rates and also the Hendricks Defined Area. All voted for. Motion carried.

Review and Approve Audit Report for fiscal year ended May 31, 2022

Michael Others updated and summarized the board on the 2022 Fiscal Year Audit with a handout for board review. A motion was made by Jerry Vernon and seconded by Dorothy Rawlinson to Approve the Audit Report for fiscal year ended in May 31<sup>st</sup>, 2022 including a 10 day review time line. All voted for. Motion carried.

Accept Resignation of Director

A motion was made by Jerry Vernon and seconded by Tony Martinez to Accept Resignation of Director, Dorothy Rawlinson. All voted for. Motion carried.

Appointment of new member to the Board of Directors; including Qualification and Oath of Office

A motion was made by Dorothy Rawlinson and seconded by Jerry Vernon to Appoint Mary Anne Vickery to the Board of Directors. All voted for. Motion carried.

Zachary Petrov completed Qualifications and Oath of Office with Mary Anne Vickery.

Organization of the Board and Elect Officers

Organization of the Board is as follows: all board members are remaining the same with the exception that Anne Vickery take Dorothy Rawlinson's position as Assistant Secretary/Assistant Treasurer.

A motion was made by Jerry Vernon and seconded by Matthew Peterson for the Organization of the Board and Elected Officers. All voted for. Motion carried.



Discuss and approve easement across frontage property South of Cutler Road and North of the Church regarding Energy's potential plan to re-route the future feeder that would cut across the property.

A motion was made by Jerry Vernon and seconded by Tony Martinez to Approve easement across frontage property South of Cutler Road and North of the Church regarding Energy's potential plan to re-route the future feeder that would cut across the property subject to additional language/verbiage from Zachary Petrov similar to what the board has seen and approved previously. All voted for. Motion carried.

Discuss and approve out of district service for 20324 Redbud.

No motion was made by the board to approve the out of district service for 20324 Redbud due to service being set up and sized for residential use only and not commercial use.

Discuss and Approve Estimates #19 and #20 (E208-0390) for the 0.75 MG Elevated Storage Tank at Leonard and Penny for Phoenix Fabricators & Erectors in the amount of \$11,400 for Estimate#19 and \$7,030.00 for Estimate#20.

A motion was made by Dorothy Rawlinson and seconded by Jerry Vernon to approve Estimates #19 and #20 (E208-0390) for the .75 MG Elevated Storage Tank at Leonard and Penny for Phoenix Fabricators and Erectors in the amount of \$11,400 for Estimate #19 and \$7,030.00 for Estimate #20. All voted for. Motion carried.

Discuss and Approve Estimate #10 (E208-0380) for the Renovations to Water Plant No. 1 for Gemini Contracting Services in the amount of \$78,962.81.

Jimmy Flowers updated the board on current progress on the Renovations to Water Plant No.1, explaining the process of starting with the Water Plant's walls and then moving to renovations to the floor.

A motion was made by Dorothy Rawlinson and seconded by Jerry Vernon to Approve Estimate #10 (E208-0380) for the Renovations to Water Plant No. 1 for Gemini Contracting Services in the amount of \$78,962.81. All voted for. Motion carried.

Discuss and Approve Estimate #5 for Accurate (E208-0490) for District Wide Water Meter System Upgrades in the amount of \$215,597.75.

A motion was made by Matthew Peterson and seconded by Jerry Vernon to Approve Estimate #5 for Accurate (E208-0490) for District Wide Water Meter System Upgrades in the amount of \$215,597.75. All voted for. Motion carried.

Discuss and take necessary action on potential property acquisition adjacent to the southern property line of the NCMUD Office Site

Kevin Arnett updated board on the where they are with verifying identity of the property's owners granddaughter, with her having not been able to produce two people who can guarantee who she is, both her and her grandfather. After giving her about a month at this point to produce that information. Kevin explained condemnation is the next step.

A motion was made by Jerry Vernon and seconded by Matthew Peterson to start condemnation process by October 3<sup>rd</sup>, 2022 on the potential property acquisition adjacent to the southern property line of the NCMUD Office Site. All voted for. Motion carried.

Discuss and take necessary action on potential property acquisition adjacent to the Water Plant No. 2 site

Kevin Arnett explained to board that they received the survey and will be submitting on offer in the next couple of days based off what was previously discussed in executive session from last month.

Engineer's Report

Jimmy Flowers updated they will begin advertising the water line PH A on Gabriel and Lawsuit that lays across NCISD.

Attorney's Report

Zach updated the board that they received the draft approval from TCEQ on the Defined Area bond. Jimmy Flowers and Bill Blitch have reviewed and a change to the draft has been requested. Due to the lengthy amount of time it took to get this draft returned, the TCEQ interest rates and Bond Market rates have changed. Per Bill Blitch's recommendation, we have requested that it be increased due to the timing circumstances.

Financial Advisor's Report

Bill Blitch updated the board on the Hendricks Defined Area Tax Rate Recommendation. He has suggested that a General Operating Fund for Hendricks and to also create a simple budget for Hendricks for annual audit and accounting purposes. Bill also explained his annual Duty of Care handout.

Tax Assessor/Collector's Report

Bill Smith reviewed the Tax Assessor and Collector's reports.



Bookkeeper's Report

Ricky McDonald reviewed the 2022 Budget. No current concerns.

Safety Report

Ricky McDonald stated no accidents or close calls.

General Manager's Report

Ricky McDonald lead the board in scheduling a Special Meeting with the architects in regards to finalizing the New Building materials and features. Board decided to schedule the Special Meeting for next week, September 21<sup>st</sup>, 2022 at 12pm.

Board of Directors' Reports and/or Proposals

Board members all took time to individually thank Dorothy Rawlinson for her years of service and dedication to the board and to the community.

Bill Smith reviewed Director's Reports and Bank Balances.

Bill Smith announced that there is an opening at the Montgomery County Central Appraisal District and are looking for candidates. Nomination candidates from the board are open until October 10<sup>th</sup>, 2022.

Approve Monthly Accounts Payable

A motion was made by Jerry Vernon and seconded by Tony Martinez to approve the General Fund amount of \$381,390.93. All voted for. Motion carried.

A motion was made by Jerry Vernon and seconded by Tony Martinez to approve the Capital Project amount of \$410,781.59. All voted for. Motion carried.

A motion was made by Jerry Vernon and seconded by Tony Martinez to approve the Debt Service amount of \$722,328.13. All voted for. Motion carried.

Convene for Executive Session at 8:33 pm.  
Re-open at 8:52 pm.

Adjournment

A motion was made by Matthew Peterson and Jerry Vernon to adjourn the meeting. All voted for. Motion carried.

Meeting adjourned at 8:55 pm.

Respectfully,

Tony Martinez

