



*The Board of Directors of New Caney Municipal Utility District of Montgomery County, held a Regular Meeting, open to the public, January 19<sup>th</sup>, 2023 at 6:00pm., and the roll was called of the duly constituted officers to wit:*

**BILL SMITH-PRESIDENT  
JERRY VERNON-VICE PRESIDENT  
TONY MARTINEZ JR.-SECRETARY  
ANNE VICKERY -ASSISTANT SECRETARY/ASSISTANT TREASURER  
MATTHEW PETERSON – TREASURER/ASSISTANT SECRETARY**

Thus, constituting a quorum.

Also, present: Ricky McDonald-General Manager, Cory DeSpain-Asst. General Manager, Lisa Latham – Office Manager, Jackie Orrick – Office Assistant, Zachary Petrov with Johnson Petrov LLP, Bill Blich – Financial Advisor, Jay Norris – LJA Engineering, and Gloria Zapata.

#### Invocation

Meeting began at 6pm.

#### Approval of the Minutes

A motion was made by Matthew Peterson and seconded by Anne Vickery to approve the December 15<sup>th</sup>, 2022, Regular Meeting Minutes. All voted for. Motion carried.

#### Citizen's Presentations

No comments/presentations given.

#### **Old Business**

##### Approve uncollectible accounts January 2022.

A motion was made by Tony Martinez and seconded by Matthew Peterson to approve January's uncollectible accounts in the amount of \$548.73. 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 the last four remaining parcels.

A motion was made by Anne Vickery and seconded by Tony Martinez to Approve the Change Order to LJA for the subdivision of Parcel No. 3 into seven parcels. All voted for. Motion carried.

Recess at 6:08 p.m.  
Re-open at 6:45 p.m.

**New Business**

Eminent Domain Filings on Texas Comptroller Website (Deadline February 1, 2023).

A motion was made by Tony Martinez and seconded by Anne Vickery to authorize the attorney to make the filing on the Texas Comptroller Website for Eminent Domain Filings. All voted for. Motion carried.

Discussion regarding Bond Election matters and take any necessary action regarding same.

Zachary Petrov explained that at next month's meeting, the board will need to call the Bond Election if they want to have one for the first Saturday in May of 2023. He reviewed the details of holding the election at New Caney MUD, including appointing an election judge and election clerks with their corresponding hourly rates, renting equipment, etc.

Adopt Resolution Implementing Penalty for Delinquent 2022 Taxes and Contracting with Attorneys to Collect Delinquent Taxes; and

A motion was made by Anne Vickery and seconded by Matthew Peterson to Adopt the Resolution Implementing Penalty for Delinquent 2022 Taxes and Contracting with Attorneys to Collect Delinquent Taxes. All voted for. Motion carried.

Adopt Order Determining Ad Valorem Tax Exemptions

A motion was made by Jerry Vernon and seconded by Matthew Peterson to Adopt Order Determining 2023 Ad Valorem Tax Exemptions. All voted for. Motion carried.  
Exemptions Adopted for Ad Valorem 2023 are 20% for Homestead and \$25,000 for both Over Sixty-Five and Disability.

Discuss and Approve Estimate #12 (E208-0380) for the Renovations to Water Plant No. 1 for Gemini Contracting Services in the amount of \$14,725.00.

A motion was made by Jerry Vernon and seconded by Matthew Peterson to Approve Estimate #12 (E208-0380) for the Renovations to Water Plant No. 1 for Gemini Contracting Services in the amount of \$14,725.00. All voted for. Motion carried.

Discuss and Approve Estimate #13 Final and Final Documents (E208-0380) for the Renovations to Water Plant No. 1 for Gemini Contracting Services in the amount of \$92,892.35.

A motion was made by Jerry Vernon and seconded by Tony Martinez to Approve Estimate #13 Final and Final Documents (E208-0380) for the Renovations to Water Plant No. 1 for Gemini Contracting Services in the amount of \$92,892.35. All voted for. Motion carried.

Discuss and Approve Estimate #9 for (E208-0490) for District Wide Water Meter System Upgrades for Accurate Utility Supply in the amount of \$23,009.00.

A motion was made by Anne Vickery and seconded by Matthew Peterson to Approve Estimate #9 for (E208-0490) for District Wide Water Meter System Upgrades for Accurate Utility Supply in the amount of \$23,009.00. All voted for. Motion carried.

Discuss and Approve Estimate #3 for (E208-0510) for Waterline Extension Phase "B" for Reddico Construction Company in the amount of \$219,769.75.

A motion was made by Jerry Vernon and seconded by Tony Martinez to Approve Estimate #3 for (E208-0510) for Waterline Extension Phase "B" for Reddico Construction Company in the amount of \$219,769.75. All voted for. Motion carried.

### **Engineer's Report**

Jimmy Flowers updated the board on the Water Usage Rerating Study that was submitted at the end of December 2022 and TCEQ is expected to reply by their deadline at the end of March 2023. It was requested that 0.27 gallons per minute in production which is about a 45% decrease. Also, Waterline Extension Phase "D" Thelma and Patricia Area – all approvals are filing and ready to bid out but will wait on easements from Espinosa Phase "C" and will bid them together as a single construction project to lower overall pricing.

**Attorney's Report**

Zachary Petrov explained that the bonds have been closed for the Hendrick's Defined Area a week after the December 2022 Regular Meeting. Wal-Mart will need to sign a Developer's Receipt which is a form that states they agree that the amount they are owed is the amount in the Reimbursement Auditor Report. Once that is done, they will send instructions to transfer funds.

**Financial Advisor's Report**

Bill Blitch had nothing further to add.

**Tax Assessor/Collector's Report**

Bill Smith reviewed the Tax Assessor's Report and Collector's Report for January 2023.

**Bookkeeper's Report**

Ricky McDonald reviewed the current budget, highlighting the SJRA Pumpage Fee and Electrical Costs.

**Safety Report**

Ricky McDonald explained that all is good, no bad news.

**General Manager's Report**

Ricky McDonald updated the board on growth in the area, specifically the Octahomes project on Gabriel, planning to bring in approximately 106 mobile homes on 14 acres and an additional project on Loop 494 that the church on Antique Lane owns – totaling about 400 additional homes. In summary, there is projected to be a lot of potentially rapid growth on smaller sizes of land.

**Board of Directors' Reports and/or Proposals**

All members stated that they are happy to be here, no concerns or additional comments.

**Approve Monthly Accounts Payable**

A motion was made by Jerry Vernon and seconded by Matthew Peterson to approve the General Fund account in the amount of \$555,091.03. All voted for. Motion carried.

A motion was made by Jerry Vernon and seconded by Matthew Peterson to approve the Capital Project account in the amount of \$417,507.79. All voted for. Motion carried.

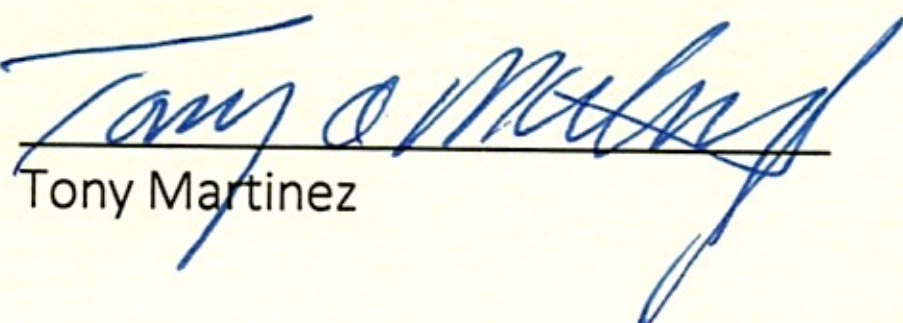
A motion was made by Jerry Vernon and seconded by Matthew Peterson to approve the Debt Services account in the amount of \$500.00. All voted for. Motion carried.

**Adjournment**

A motion was made by Anne Vickery and seconded by Tony Martinez to adjourn the meeting. All voted for. Motion carried.

Meeting adjourned at 8:03 pm.

Respectfully,

  
Tony Martinez