



*The Board of Directors of New Caney Municipal Utility District of Montgomery County, held a Regular Meeting, open to the public, March 16<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 Right of Way Agent, Jimmy Flowers – LJA Engineering, Matthew Gray – County Commissioner and his assistant, Kennedy Williams.

#### Invocation

Meeting began at 6:00PM.

#### Approval of the Minutes

A motion was made by Jerry Vernon and seconded by Tony Martinez to Approve the Regular Meeting Minutes for February 16<sup>th</sup>, 2023. All voted for. Motion carried.

#### Citizens Presentations

No citizens present.

#### **Old Business**

##### Approve uncollectible accounts March 2023.

A motion was made by Jerry Vernon and seconded by Anne Vickery to Approve February 2023 Uncollectible Accounts in the amount of \$500.42. 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 parcel on Espinosa that was split into 7 different units. He hopes after getting the last signature this evening, that the Title Company will have everything closed by Monday or Tuesday of next week.

A motion was made by Jerry Vernon and seconded by Anne Vickery to direct Jay Norris to investigate the purchase of the 1.6 acres discussed on Strickland. All voted for. Motion carried.

Recess at 6:05PM.  
Re-open at 6:53PM.

**New Business**

Discuss and approve any necessary action regarding the New Office Building.

Ricky McDonald stated that he has received a set of preliminary drawings from the architect for his and Jimmy's review and estimates that in the next 30-60 days, they will be ready to go out for bids. Jimmy Flowers mentioned where the process stands with permitting etc. with Montgomery County and the Fire Marshall's office, where potential hold-ups in time are likely to happen.

Discuss flood control issues with Commissioner Matt Gray and approve any necessary action to be taken.

Commissioner Matt Gray explained his ongoing projects and progress in the county and his future plans to improve the area. He stated that having a Flood Control District is the long-term solution to cure the flooding issues but does not offer a short term-solution.

After researching short-term solutions, he asked for NCMUD's help as they can properly access property and is asking that they do the vegetation maintenance and management along the trenches and detention ponds. By setting up an ILA, Matt wants to be able to divert funds to assist in making these projects happen.

A motion was made by Matthew Peterson and seconded by Jerry Vernon to proceed in conjunction with Commissioner Matt Gray to proceed with the maintenance of the main ditch in New Caney. All voted for. Motion carried.

Discuss and Adopt Resolution Authorizing Sale of Personal Property of New Caney Municipal Utility District.

A motion was made by Jerry Vernon and seconded by Anne Vickery to Adopt Resolution Authorizing Sale of Personal Property of New Caney Municipal Utility District. All voted for. Motion carried.

Discuss and Approve Change Order No. 1 for (E208-0490) District Wide Water Meter System Upgrades for Accurate Utility Supply in the amount of \$91,950.00 with a time extension of 90 calendar days.

A motion was made by Jerry Vernon and seconded by Tony Martinez to Approve Change Order No. 1 for Accurate Utility Supply in the amount of \$91,950.00 with a time line extension of 90 calendar days. All voted for. Motion carried.

Discuss and Approve Estimate #5 for (E208-0510) Waterline Extension Phase "B" for Reddico Construction Company in the amount of \$40,142.25.

A motion was made by Jerry Vernon and seconded by Anne Vickery to Approve Estimate #5 for (E208-0510) for Waterline Extension Phase "B" for Reddico Construction Company in the amount of \$40,142.25. All voted for. Motion carried.

Discuss and Approve Estimate #6 Final and Final Documents for (E208-0510) Waterline Extension Phase "B" for Reddico Construction Company in the amount of \$43,138.30.

A motion was made by Anne Vickery and seconded by Tony Martinez to Approve Estimate #6 Final and Final Documents for (E208-0510) Waterline Extension Phase "B" for Reddico Construction Company in the amount of \$43,138.30. All voted for. Motion carried.

Discuss and Approve Estimate #1 for (E208-0500) Waterline Extension Phase "A" for Reddico Construction Company in the amount of \$511,517.05.

A motion was made by Anne Vickery and seconded by Tony Martinez to Approve Estimate #1 for (E208-0500) Waterline Extension Phase "A" for Reddico Construction Company in the amount of \$511,517.05. All voted for. Motion carried.

Discuss and Take Necessary Action on the Proposal from LJA Engineering to perform the required engineering services for the Waterline Extension Phase "E" (Micke Road Area) project.

A motion was made by Jerry Vernon and seconded by Tony Martinez to Authorize Proposal from LJA Engineering to perform required engineering services for the Waterline Extension Phase "E" (Micke Road Area) project, totaling \$207,000.00. All voted for. Motion carried.

Discuss and Take Necessary Action on the Proposal from LJA Engineering to perform the required engineering services for the Waterline Extension Phase "F" (Baptist Encampment Area) project.

A motion was made by Anne Vickery and seconded by Tony Martinez to Authorize the Proposal from LJA Engineering to perform the required engineering services for the Waterline Extension Phase "F" (Baptist Encampment Area) project totaling \$297,000.00. All voted for. Motion carried.

**Engineer's Report**

TCEQ has come back with questions about the Alternative Capacity Requirements Request that was previously submitted. Jimmy answered them and they hope to have a final response from TCEQ by the end of the current month. Also, Phase "C" Espinosa Waterline Extension is with the city and the county for reviews and Water Plant No.2 is with TCEQ and the City of Montgomery County.

**Attorney's Report**

Zach updated the board that all the necessary documents from Wal-Mart have been received and the transfer has been completed. There are some funds left in the account, \$50,000-\$60,000 has already been allocated to go to the Debt Service Account and the remaining \$20,000-\$30,000 he suggests also goes to the Debt Service Account after speaking with Financial Advisor, Bill Blich. Zach will review any reimbursements funds with Ricky and Lisa.

**Appointment of Election Judges and Clerks**

A motion was made by Bill Smith and seconded by Ricky Vernon to appoint Leigh Harrington-Smith as Election Judge and Gloria and Martin Zapata, Abigail Peterson, and Dorothy Rawlinson as Election Clerks. All voted for. Motion carried.

**Financial Advisor's Report**

Bill Blitch had nothing further to add.

**Tax Assessor/Collector's Report**

Bill Smith reviewed the Tax Report for February 2023.

**Bookkeeper's Report**

Ricky McDonald reviewed the Revenue and Expense Report and Bill Smith reviewed the Bank Balances.

**Safety Report**

Ricky McDonald stated no accidents, all is good.

**General Manager's Report**

Ricky McDonald presented the Octa Mobile Home Park – Pro-Rata Share Calculation Report drafted by Jimmy Flowers and the board discussed this report and its formulated benefits vs. an impact fee etc.

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

All Board of Director's stated that they are happy to be here, no specific concerns.

**Approve Monthly Accounts Payable**

A motion was made by Anne Vickery and seconded by Jerry Vernon to Approve the General Fund account in the amount of \$389,975.63. All voted for. Motion carried.

A motion was made by Anne Vickery and seconded by Jerry Vernon to Approve the Capital Project account in the amount of \$633,102.43. All voted for. Motion carried.

A motion was made by Anne Vickery and seconded by Jerry Vernon to Approve the Debt Service account in the amount of \$2,252,326.48. All voted for. Motion carried.

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**Adjournment**

A motion was made by Jerry Vernon and seconded by Tony Martinez to adjourn.  
All voted for. Motion carried.

Meeting adjourned at 8:57PM.

Respectfully,

  
Tony Martinez