

MINUTES  
WILLOW FORK DRAINAGE DISTRICT

January 12, 2023

The Board of Directors (the "Board") of Willow Fork Drainage District (the "District") met by regular session, open to the public, on the 12<sup>th</sup> day of January 2023, at the offices of LJA Engineering, Inc., 1904 West Grand Parkway North, Suite 100, Katy Texas 77449, outside the boundaries of the District, and the roll was called of the members of the Board:

John Savage	President
Gregg Nady	Vice President
Sarah Hubbell	Secretary
Alexander "Alec" Bray	Assistant Vice President
Joseph S. Robinson	Assistant Secretary

and all the above were present, except Director Bray, thus constituting a quorum.

Also attending the meeting, either in person or by telephone, were Alec Bray, Assistant Vice President of the District; Jennifer Hana of Forvis, LLP; Maeve Burns of TBG Partners; Robert Miller and Katie May of Inframark Water & Infrastructure Services ("Inframark"); Jerry Schroeder and Marie Newsome of Champions Hydro-Lawn ("Champions"); Craig Kalkomey of LJA Engineering ("LJA"); Cara Sliva of Artesian Financial Services ("Artesian"); Cristen Wiatr, District Administrator; Yvonne Arceneaux, District Park Manager; Harry H. Thompson and Meagan Guilmenot of Allen Boone Humphries Robinson LLP ("ABHR").

The District established a telephone option for members of the public to listen to the meeting and to address the Board. No members of the public were on the telephone.

Director Bray attended the meeting by telephone but did not participate in any discussion or action items.

COMMENTS FROM DISTRICT RESIDENTS

Director Savage offered any members of the public attending the meeting the opportunity to make public comment. There being no members of the public wishing to make comments, Director Savage moved to the next agenda item.

APPROVE MINUTES

The Board reviewed the minutes of the December 8, 2022, regular meeting. Director Nady moved to approve the minutes, as discussed. Director Hubbell seconded the motion, which passed unanimously.

## APPROVE AUDIT FOR FISCAL YEAR ENDING SEPTEMBER 30, 2022

Ms. Hanna reviewed a draft audit of the District's financial information for the fiscal year end September 30, 2022, a copy of which is attached to these minutes. After review and discussion, upon a motion made by Director Nady, seconded by Director Hubbell, the Board voted 4 to 0, with Director Bray absent during voting, to (1) approve the audit and management letter subject to final review and comments; and (2) authorize ABHR to file the audit and filing affidavit with the Texas Commission on Environmental Quality.

## TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Sliva presented the County tax collection report.

## FINANCIAL AND BOOKKEEPING MATTERS

Ms. Sliva reviewed the bookkeeper's report, including the quarterly investment report, copies of which are attached.

Ms. Sliva reviewed the District's budget for both parks and drainage, for the fiscal year ending September 30, 2022, and reviewed a comparison of actual expenditures against the original budget adopted.

Mr. Thompson discussed the District's desilting reserve funds for future consideration.

Following review and discussion, and based off of the bookkeeper's recommendation, Director Nady moved to approve the bookkeeper's report and payment of the bills. Director Hubbell seconded the motion, which passed unanimously.

In accordance with the District's Investment Policy, the Board considered the annual disclosure statements of the District's Investment Officer and Bookkeeper. Mr. Thompson explained that the statements disclose any relationships with entities or individuals who are offering, have offered, or may offer to engage in an investment transaction with the District, and the disclosure statements will be filed with the Texas Ethics Commission and the District.

Mr. Thompson reported on the District's compliance activities during the prior calendar year related to bond financings. Mr. Thompson stated that no corrective action is required at this time.

After review and discussion, Director Hubbell moved to accept the disclosure statements as presented and to authorize they be appropriately filed. Director Nady seconded the motion, the motion, which passed unanimously.

## REPORT, INCLUDING AUTHORIZING DITCH MAINTENANCE

Mr. Schroeder reviewed the operator's report, a copy of which is attached, and reviewed the status of the ditches and channels, as well as certain trails.

Mr. Schroeder reviewed the operator's report, a copy of which is attached, reviewed the status of the ditches and channels, as well as certain trails, and reviewed the following proposals with the Board:

1. 42" Storm Pipe replacement -Va9-11E proposal in the amount of \$39,699.00;
2. Va1b-14S Interceptor Pipe replacement proposal in the amount of \$21,976.00;  
and
3. WFD-23W Interceptor Pipe replacement proposal in the amount of \$28,208.00.

Discussion ensued on costs and labor associated with the proposals Champions presented. After further discussion, the Board concurred to approve the Va1b-14S Interceptor Pipe replacement in the amount of \$21,976.00 and requested Champions to coordinate with LJA on obtaining at least two additional bids for the 42" Storm Pipe replacement -Va9-11E in the amount of \$39,699.00 and WFD-23W Interceptor Pipe replacement in the amount of \$28,208.00.

Mr. Schroeder reported that a check valve needs to be replaced at the Willow Fork Park Pump. Discussion ensued on materials and costs associated with the installation. Following additional discussion, Director Robinson moved to delegate authority to Director Savage, President of the District, to approve the installation of the check valve in the amount not to exceed \$25,000, as discussed. Director Hubbell seconded the motion, which passed unanimously.

Following review and discussion, and based on the operator's recommendation, Director Robinson moved to (1) approve the Va1b-14S Interceptor Pipe replacement proposal in the amount of \$21,976.00; and (2) authorize Champions and LJA to coordinate on obtaining at least two additional bids for the 42" Storm Pipe Replacement -Va9-11E and WFD-23W Interceptor Pipe Replacement, as discussed. Director Hubbell seconded the motion, which passed unanimously.

## UPDATE ON FEMA CLAIM AND MAINTENANCE OF STORM SEWER LINES

Ms. May updated the Board on the total reimbursement received for the Diversion Channel project from the Federal Emergency Management Agency and the status of projects pending approval for funding.

Mr. Miller reviewed a Storm Line Maintenance Report, a copy of which is attached.

## ENGINEER'S REPORT

Mr. Kalkomey updated the Board on the successful installation of the lights at SH 99.

Mr. Kalkomey updated the Board regarding Fort Bend County Drainage District's plans to remove additional silt from Buffalo Bayou and the upstream end of the Diversion Channel.

Mr. Kalkomey reviewed and presented Pay Application No. 1 in the amount of \$60,408.90, payable to JBRI Construction Services, LLC ("JBRI") for the costs associated with the removal and replacement of the sidewalk.

Following review and discussion, and based off of the engineer's recommendation, Director Nady moved to (1) approve the engineer's report; and (2) approve Pay Application No. 1 from JBRI, as discussed. Director Robinson seconded the motion, which passed unanimously.

## PROJECT BARKER

Mr. Thompson and Mr. Kalkomey discussed Project Barker matters.

## FLOOD MITIGATION EFFORTS INCLUDING COMMUNITY OUTREACH AND AUTHORIZE APPROPRIATE ACTION, IF APPLICABLE

Mr. Thompson discussed and updated the Board on the County's flood mitigation efforts and proposed adding a homepage to the Project Barker website to increase community awareness regarding the upstream litigation, distributing postcards, and e-blast notifications throughout the district. Following review and discussion, Director Hubbell moved to authorize ABHR, LJA, and April Renberg, the District's communications consultant, to coordinate on District website matters relating to the upstream litigation, as well as distributing postcards and e-blast notifications throughout the District. Director Nady seconded the motion, which passed unanimously.

## PARK MATTERS

Ms. Arceneaux discussed District Park matters. Mr. Thompson reported that Gary Moore, Marketing consultant, is requesting the District waive certain cancellation fees due to the Diamond Rio concert being canceled due to inclement weather. Mr. Thompson reviewed and presented the services agreement between Gary Moore and the District. Mr. Thompson then noted that per the contractual terms of the agreement between the District and Mr. Moore, the artist's fees owed to the District are 50% of the total artist fee as the artist canceled the event due to inclement weather, and Gary Moore owes 100% of his user/booking fee to the District as the event was canceled

before 12:00 PM of the event date. Discussion ensued. Ms. Arceneaux informed the Board that the District has a positive and long-standing relationship with Gary Moore, who brings many high-quality events to Central Green. Following review and discussion, Director Nady moved to (1) decrease the amount owed to the District to \$12,000; (2) authorize Ms. Arceneaux to collaborate with Mr. Moore on a payment plan; and (3) authorize Artesian to release the check issued to Mr. Moore from the December 9, 2022 concert, subject to the payment arrangement for the \$12,000 due to back to the District, and ratify the agreement at the next parks meeting. Director Robinson seconded the motion, which passed unanimously.

Director Robinson discussed current events.

Director Nady reported on security matters within the District.

There being no further business to come before the Board, the Board concurred to adjourn the meeting.



/s/ Sarah Hubbell

Secretary, Board of Directors