

MINUTES OF WILLACY COUNTY DRAINAGE DISTRICT NO. 1

On April 10, 2024, the Board of Directors of Willacy County Drainage District No. 1 met at the District's office in Lyford, Texas, after having given notice thereof as provided by law, with the following person's present, to-wit:

Terry Galle, President
Melvin Gay, Secretary
Charles Chappell, Director
Dan Klostermann, Director
Daniel Vassberg, Director
Thomas Zdansky, Director
Paul Greenhill, District Manager
B. R. Dossett, Attorney

Directors Absent: Glenn Wilde, Vice President

President Galle called the meeting to order at 10:31 a.m. and presided.

1. Minutes. The minutes of the February 14, 2024 meeting were presented. The motion was made by Thomas Zdansky and seconded by Daniel Vassberg that the minutes of the February 14, 2024 meeting be approved. Following a discussion, the motion unanimously carried.
2. Public Comment Period. No one appeared. No comments were submitted by email or fax.
3. May 4, 2024 Election
 - 3.1 Secretary's Status Report. Secretary Gay presented a Certificate of Unopposed Status and announced only the following persons filed an application for a place on the ballot:

Place 1	Terry Galle
Place 2	Melvin Gay
Place 3	Thomas Zdansky

and that no one filed a Declaration of Write-in Candidacy.
 - 3.2 Cancellation of Election. The motion was made by Daniel Vassberg and seconded by Charles Chappell that this Order Canceling Election be adopted:

WHEREAS:

1. In accordance with the Texas Water Code and the Texas Election Code, Willacy County Drainage District No. 1 shall hold an election on May 4, 2024, at which three (3) Directors are to be elected to membership on the Board of Directors of Willacy County Drainage District No. 1, each to serve a term of three (3) years beginning May 20, 2024.
2. The deadlines for filing an application for place on the ballot and declaration of write-in candidacy have passed;

3. Pursuant to Texas Water Code § 49.101 and Election Code § 146.051, a write-in vote may not be counted unless the name written-in appears on the list of write-in candidates, and no declaration of write-in candidacy was filed;
4. The candidates whose names are to appear on the ballot are:
Place 1 Terry Galle
Place 2 Melvin Gay
Place 3 Thomas Zdansky
5. No proposition is to appear on the ballot;
6. **NOW, THEREFORE**, it is hereby determined by the Board of Directors of Willacy County Drainage District No. 1 that in accordance with Chapter 2, Subchapter C of the Texas Election Code, the May 4, 2024 election can be cancelled and the unopposed candidates can be declared elected. Accordingly, **IT IS ORDERED** that:
 1. The election to be held on May 4, 2024 is cancelled.
 2. Each of the following unopposed candidates is hereby elected to membership on the Board of Directors of Willacy County Drainage District No. 1, each to serve a term of three (3) years beginning May 20, 2024:
Place 1 Terry Galle
Place 2 Melvin Gay
Place 3 Thomas Zdansky
 3. A copy of this Order shall be posted on Election Day at each polling place that would have been used in the election.

Following a discussion, the motion unanimously carried.

4. Lateral G Status Report.
 - 4.1 County widening and improvement between east line of Block 28, GCIC and U.S. Highway 77 / I-69. Manager Greenhill recounted the history of this project:
 - 1) in 2020, the District, at its cost and expense widened Lateral G between F.M. 1018 and east line of Block 28, GCIC.
 - 2) in 2020, the County applied for and was awarded a grant to widen Lateral G between the East line of Block 28, GCIC and U.S. 77 / I-69.
 - 3) work on the widening of Lateral G west from the east line of Block 28, GCIC, commenced in late 2020, but by the Board's February 10, 2021, the County announced that all grants funds would be expended and work would stop about 2000 feet east of U.S. 77 / I-69, but that the County intended to apply for another grant to complete the 2000 feet. It was reported at the April 14, 2021 Board meeting that the County had correctly predicted that work would stop 2000 feet, more or less, east of U.S. 77 / I-69, and that the County had commenced the grant application process for a grant to complete the last 2000 feet, which would include the upgrade of the Simo Road

crossing, located 1000 feet, more or less, east of U.S. 77 / I-69. At the February 10, 2021 Board meeting, it was also announced that the County had applied for a grant to widen Lateral G between F.M. 1018 and the Hidalgo-Willacy Joint Venture Drain, more commonly known as the Hidalgo Main Drain, the status of which grant is discussed under agenda item 4.2. In the meantime, TxDOT agreed to upgrade the F.M. 1018 crossing of Lateral G, by replacing the existing culvert with two 5 foot x 5 foot box culverts as part of its F.M. 1018 improvement project. At the May 26, 2021 meeting it was announced that the County's Grant application for the widening of Lateral G between F.M. 1018 and the Hidalgo-Willacy Joint Venture Drain had been approved, the amount of the Grant being \$2.9 million. At the May 26, 2021 meeting, it was also announced the plans for the installation of the two 5 foot x 5 foot box culverts at the F.M. 1018 crossing had been approved; the box culverts were installed in the Spring of 2022.

- 4) At the August 11, 2021 Board meeting, it was reported that the County had been awarded a grant to complete the widening of the 2000 feet east from U.S. 77/ I-69. It has not been explained to the District why the plans for the first grant could not be used for the completion of the project. It has also not been explained to the District why the County (a) awarded a contract to Munoz & Guzman Engineering to prepare the plans for the 1000 feet east of Simo Road and the upgrade of Simo Road crossing, and (b) awarded a contract for to Fulcrum Engineering to prepare the plans for the 1000 feet west of Simo Road and the upgrade of the canasta at U.S. 77 / I-69 which upgrade was made necessary due to the widening of the drain.
- 5) in the meantime, the County of Willacy, Munoz & Guzman Engineering, and Hidalgo County Drainage District No. 1 (HCDD#1) entered into an agreement that Hidalgo County Drainage District No. 1 will, pursuant to an Interlocal Cooperation Contract, complete the plans, widen the 1000 feet east of Simo Road, and upgrade the Simo Road crossing. But Fulcrum Engineering has refused to enter into such an agreement, and it is likely that the 1000 feet west from Simo Road and the upgrade of the canasta at U.S. 77 / I-69 will be put out for bids.
- 6) Also, it has been determined that certain work done pursuant to the original grant needs to be redone. The grade of the channel is incorrect—there are high points between F.M. 1018 and 1000 east of Simo Road than need to be removed, the road crossing for the Los Mesquites Subdivision needs to be replaced, and additional culverts need to be installed in the drain at the southeast corner of the Los Mesquites Subdivision, where the drain makes a 90 degree turn from the south to the west. This work, and the piping of 120 feet of Lateral G west from U.S. 77 / 281 will be funded by the grant discussed under agenda item 4.2. It was also proposed in the grant application that a detention basin be constructed approximately on the north

side of Lateral G, approximately mid-way between Simo Road and the Los Mesquites Subdivision. However, the County has advised that the detention basin has been deleted from the project due to a lack of funds and will have to be the subject of another grant. A discussion followed in which the Board was unanimously of the opinion that construction of the detention basin should be the top priority of the project and the widening north of F.M. 1018 stop when the grant funds are expended.

- (a) Widening 1000 feet east of Simo Road. HCDD#1's project engineer provided a set of plans that include this segment of the project and advised that he anticipates that the Texas Water Development Board will complete the plan review soon.
- (b) Widening 1000 feet west of Simo Road. No report. Neither Fulcrum Engineering nor the County has responded to Manager Greenhill's request for a status report.
- (c) Removal of high points between F.M. 1018 and 1000 feet east of Simo Road HCDD#1's project engineer provided a set of plans that include this segment of the project and advised that he anticipates that the Texas Water Development Board will complete the plan review soon. This work is funded by the grant discussed under agenda item 4.2.
- (d) Simo Road Crossing upgrade. HCDD#1's project engineer provided a set of plans that included this segment of the project and advised that he anticipates that the Texas Water Development Board will complete the plan review soon.
- (e) Piping approximately 120 feet west from U.S. 77 / I-69. HCDD#1's project engineer provided a set of plans for this segment of the project and advised that he anticipates that the Texas Water Development Board will complete the plan review soon. This work is funded by the grant discussed under agenda item 4.2.

4.2 Willacy County widening and improvement between FM 1018 and Hidalgo Main Drain [Joint Flood Control Project TWDB application No. 40069].

- (a) Status Report: HCDD#1's project engineer provided a set of plans for this segment of the project and advised that he anticipates that the Texas Water Development Board will complete the plan review soon.
- (b) Interlocal Cooperation Contract between the County of Willacy, HCDD#1 and WCDD#1. The County County Commissioner for the County Precinct that includes the Town of Sebastian delivered a proposed Interlocal Cooperation Contract that advised that the Contract needs to be signed immediately. Manager Greenhill submitted the proposed Contract for Attorney Dossett's review and comment. Attorney Dossett submitted his comments to the County and HCDD#1. The most important is that the

General, the Directors who have been declared elected can sign the oath of office until after the May 4, 2024 election date.

- (c) USDA Grant. The Engineer has been requested to provide for the District's permanent records the power point presentation he made to the District when he presented the grant proposal.

7. Financial Reports

7.1 Investment Report for 1st Quarter 2024. Presented. The motion was made by Thomas Zdansky and seconded by Dan Klostermann that the Investment Report for 1st Quarter 2024 be approved. Following a discussion, the motion unanimously carried.

7.2 Monthly Reports.

(a) Financial reports for the month of February 2024 presented and reviewed. Expenditures were presented for the month of February totaling \$77,515.31 beginning with check number #3571 and ending with check #3587, and wages for March be approved as presented. The motion was made by Dan Klostermann and seconded by Dan Klostermann that the financial reports for the month of February 2024 be approved. Following a discussion, the motion unanimously carried.

(b) Financial reports for the month of March 2024 presented and reviewed. Expenditures presented for the month of March totaling \$59,085.22 beginning with check #3589 and ending with check #3606, and wages for April be approved as presented. The motion was made by Melvin Gay and seconded by Dan Klostermann that the financial reports for the month of March 2024 be approved. Following a discussion, the motion unanimously carried.

7.3 Payment of Accounts and Wages.

- (a) Approval for payment of accounts for the month of February 2024:
The accounts paid in the month of February 2024 were presented:

AT&T Mobile	ACH	\$313.84	Telephones
Corporate Card-Wells Fargo	ACH	\$1,960.13	Office/Operating/Misc.
Culligan	ACH	\$40.00	Water Dispenser Rental
Reliant	ACH	\$377.37	Electricity
SANTCANT Services	ACH	\$700.00	IT Maintenance Retainer
VTX1 Companies	ACH	\$171.80	Phone/Internet
Guardian	ACH	\$1,536.64	Health Ins. QuarterlyPayment
Pitney Bowes	ACH	\$63.48	Postage
Xylem Solutions	ACH	\$3,259.39	Repairs/Maintenance
City of Lyford	#3571	\$71.85	Water/Sewer
Dossett Law Office	#3572	\$150.00	Retainer
Guardian	#3573	\$383.54	Employee Paid Insurance

Stella Vela	#3574	\$84.00	Office Maintenance
Willacy County Appraisal	#3575	\$9,480.01	Quarterly Allocations
Willacy County	#3576	\$4,899.36	Health Insurance
Xerox Financial	#3577	\$266.25	Copier Lease
Alamo Lumber	#3578	\$2,513.77	Supplies
Pro Billing-Burton's	#3579	\$351.40	Operating Supplies
Core & Main	#3580	\$8,988.60	Operating Supplies
Diego's Tire Service	#3581	\$100.00	Operating Supplies
Employee Reimbursement	#3582	\$97.00	CDL Renewal
Garver Engineering	#3583	\$979.88	Engineering Services
Johnny's True Value	#3584	\$230.59	Supplies
Linde Gas & Equipment	#3585	\$171.09	Supplies
Seiver Implement Company	#3586	\$272.40	Repairs/Maintenance
Willacy CO-OP.	#3587	<u>\$52.42</u>	Operating Supplies
Total		\$77,515.31	

The motion was made by Dan Klostermann and seconded by Dan Klostermann that the payment accounts paid in the month of February 2024 be approved. Following a discussion, the motion unanimously carried.

- (b) Approval for payment of accounts for the month of March 2024. The accounts paid in the month of March 2024 were presented:

AT&T Mobile	ACH	\$672.14	Telephones
Corporate Card-Wells Fargo	ACH	\$4,566.51	Office/Operating/Misc.
Culligan	ACH	\$40.00	Water Dispenser Rental
Reliant	ACH	\$340.93	Electricity
VTX1 Companies	ACH	\$171.80	Phone/Internet
Gerber Life Insurance	ACH	\$1,046.90	Life Insurance
Texas Comptroller	ACH	\$35.00	Annual Dues
City of Lyford	#3589	\$62.55	Water/Sewer
Dossett Law Office	#3590	\$150.00	Retainer
Guardian	#3591	\$383.54	Employee Paid Insurance
SANTCANT Services	#3392	\$300.00	IT Maintenance Retainer
Stella Vela	#3593	\$84.00	Office Maintenance
Willacy County	#3594	\$4,899.36	Health Insurance
Xerox Financial	#3595	\$266.25	Copier Lease
Alamo Lumber	#3596	\$244.40	Supplies
Alamo Iron Works	#3597	\$21.06	Supplies
Pro Billing-Burton's	#3598	\$194.16	Operating Supplies
CNA Surety Bond	#3599	\$135.00	Bond
CNA Surety Bond	#3600	\$135.00	Bond

CNA Surety Bond	#3601	\$135.00	Bond
Holt	#3602	\$1,002.23	Repairs/Maintenance
O'Reilly	#3603	\$246.83	Supplies
Oil Patch Fuel & Supply, Inc.	#3604	\$2,228.25	Operating Supplies
Valley Outdoor Power Equip.	#3605	\$1,661.63	Operating Supplies
Willacy CO-OP.	#3606	<u>\$62.68</u>	Operating Supplies
Total		\$59,085.22	

The motion was made by Melvin Gay and seconded by Dan Klostermann that the payment of the accounts paid in the month of March 2024 be approved. Following a discussion, the motion unanimously carried.

- (c) The motion was made by Melvin Gay and seconded by Dan Klostermann that these accounts be paid during the month of March.

Following a discussion, the motion unanimously carried.

8. Take up such other matters as may properly be brought before the Board. None.
9. Adjournment. There being no other business, the meeting was adjourned at 12:06 p.m.


 Terry Galle, President


 Melvin Gay, Secretary