

MINUTES OF THE WILLACY COUNTY DRAINAGE DISTRICT NO. 1

On October 21, 2020, 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:

Daniel Vassberg, President
Thomas Zdansky, Director
B. R. Dossett, Attorney
Paul Greenhill, Manager

Terry Galle, Vice President
Dan Klostermann, Director

Absent: Melvin Gay, Charles Chappell, and Glenn Wilde

President Vassberg called the meeting to order at 10:30 a.m. and presided. It was noted that a meeting was not held on October 14, 2020 due to the lack of a quorum.

Audience: None

1. Minutes. The motion was made by Terry Galle and seconded by Dan Klostermann to approve the minutes of the September 16, 2020 meeting. Following a discussion, the motion unanimously carried.
2. Public Comment Period. No one appeared. No one submitted any written comments.
3. Subdivisions. The Mulberry Estates Subdivision, being 29.99 acres comprised of 9.89 acres of Lot 8, Block 26 and the north 20 acres of Lot 12, Block 27, Gulf Coast Irrigation Company Subdivision (Vol. 1, pg. 430, Transcribed Records of Cameron County). The owner / developer's drainage proposal was reviewed. It was noted that there are no District drains or other drainage facilities of the District in the subject property. The motion was made and seconded that the plat of the Mulberry Estates Subdivision be approved with this sign-off paragraph:

WILLACY COUNTY DRAINAGE DISTRICT NO. 1 HEREBY APPROVES THIS SUBDIVISION ON THE CONDITION THAT THE DISTRICT DOES NOT WARRANT THE ADEQUACY OF ITS DRAINAGE SYSTEM IN CASE OF HEAVY RAINFALL, AND THAT IT WILL NOT BE CALLED UPON, BY PRESENT OR FUTURE OWNERS OF ANY LOT OR LOTS IN THIS SUBDIVISION, TO CORRECT ANY DRAINAGE OR FLOODING PROBLEMS ON ANY OF THE LOTS IN SAID SUBDIVISION. APPROVAL IS GIVEN ONLY AS IT RELATES TO AND MAY AFFECT THE FACILITIES OF THE DISTRICT. NO CONSIDERATION IS GIVEN TO ANY OTHER MATTERS. ANY FAILURE TO RECORD THIS PLAT IN THE OFFICE OF THE COUNTY CLERK OF WILLACY COUNTY WITHIN ONE YEAR AFTER THIS DATE SHALL CAUSE THIS APPROVAL TO BECOME VOID.

Following a discussion, the motion unanimously carried.

4. Willacy County Community Development Block Grant-Mitigation Program Fund grant application.
 - 4.1 Receive County's Proposal. Commissioner Eduardo Gonzalez reported that the County wants to apply for a Community Development Block-Mitigation Program Fund Grant

application to widen one or more of the District's drains, the purpose being to increase the holding capacity of the subject drain(s), and that one of the requirements is that the District enter into an Intergovernmental Agreement authorizing the project, whereupon he presented the proposed Interlocal Agreement. It was noted that no specific plans were provided. Mr. Gonzales stated that the County is considering widening Lateral G

4.2 Intergovernmental Agreement. Motion by Thomas Zdansky and seconded by Dan Klostermann to accept Intergovernmental Agreement subject to these conditions:

- (a) There must be no less than 25 feet between the edge of the drain channel and the boundary of the District's right-of-way.
 - (b) The plans for whatever the County wants to do must be submitted to the District for the Board's approval.
 - (c) The District shall not be responsible for acquiring any needed rights-of-way and will not be responsible in any way for the cost of acquiring any additional right-of-way.
 - (d) The County shall be responsible for the cost of replacing all down drains that must be relocated due to the widening of a drain, and all replaced down drains must be flap gates.
 - (e) Depending on the increased width, the sides of the drain shall be step-cut.
 - (f) Pursuant to the agreement with the El Sauz Ranch, Hidalgo County Drainage District No. 1, and this District, the capacity of the structure where a drain discharges into the Hidalgo-Willacy Joint Venture Drain can be increased.
- Following a discussion, the motion unanimously carried.

4.3 County Grant to construct three pads and purchase of one pump with quick connect. Commissioner Gonzalez reported that construction of the pads will commence soon and are supposed to be completed by December 31, 2020. Manager Greenhill reported that the contractor has purchased the pump, being a Godwin DPC300 automatic Dri-Prime 12 inch centrifugal pump, powered by a John Deere 6068T engine. Although on skids, the manufacturer has a trailer designed to transport the pump. The trailer has been purchased, also. A discussion followed about the District acquiring additional pumps like the one that the contractor has purchased, and/or gator pumps.

5. Storm Water Modeling.

5.1 Hydrologic and Hydraulic Model and funding sources. Manager Greenhill reported that Mr. Schiebe appeared for the October 14, 2020 meeting and made his presentation to those present. The Attorney and Manager summarized Mr. Schiebe's presentation. It was noted that Cameron County Drainage Districts Nos. 3 and 5 have models prepared by Mr. Schiebe funded with grants. Mr. Schiebe also had reported that the 2020 grant application period is closed, and that no decision need be made by the Board until it is determined that grant funds will be available in 2021.

5.2 Action on Preparation of Hydrologic and Hydraulic Modeling Project. The Board was of the opinion that consideration of this matter be deferred until it is known that grant funds will next available.

6. Drains: Unnamed Drain in Share 62 and Share 2. It was noted that by the document recorded at Volume 142, Pages 195-198, Official Real Property Records of Willacy County, the Drainage District acquired a 150 foot wide right-of-way for a drain that runs north in Share 62 from the Smith Gate in the North Floodway Levee a distance of 170 feet, and runs south from the Smith Gate to the pilot channel of the Floodway in Share 2, and that this drain has never been named. The motion was made by Thomas Zdansky and seconded by Dan Klostermann to name the drain that runs north from Smith Gate in share 62, and south from Smith Gate to

the Floodway pilot channel be named the Smith Gate Drain. Following a discussion, the motion unanimously carried.

7. Drains: Lateral E-1. It was noted that Lateral E-1 runs north from the Hidalgo-Willacy Joint Venture Drain generally centered on the west lines of Lots 7 and 2, the east lines of Lots 6 and 3, all in Block 22, Santa Rosa Subdivision, It was noted that that name of this drain causes confusion because it is not a sub-lateral of Lateral E as the name suggests. It was noted that the three drains to the east of this drain that run north from the Hidalgo-Willacy Joint Venture Drain are designated Laterals D-1, D-2, and D-3. It was proposed that for consistency and clarity the name of Lateral E-1 be changed to Lateral D-4. The motion made by Dan Klostermann and seconded by Thomas Zdansky that the name of the drain centered on the west lines of Lots 7 and 2, the east lines of Lots 6 and 3, all in Block 22, Santa Rosa Subdivision, be changed from Lateral E-1 to Lateral D-4. Following a discussion, the motion unanimously carried.
8. Drains: Lateral E and sub-drains in Share 2. It was noted that Lateral E runs south in the Los Coyotes Subdivision to the point being the southeast corner of Lot 17, southwest corner of Lot 18, Block 5, Los Coyotes Subdivision, said point to be referred to as Point "A" for the purpose of this this discussion. It was noted that Point "A" is at the centerline of FM 1018.

From Point "A" the drain continues south a distance of approximately 1,000 feet, then makes a 90 degree, more or less, turn to the east and runs east generally parallel to FM. 1018 a distance of approximately 270 feet to a point designated "B" for this discussion, and continues east generally parallel to FM 1018 a total distance of approximately 2,200 feet to its upstream end, designated point "C" for this discussion. The District acquired the right-of-way for drain that runs from Point "A" to Point "B" to Point "C" by document recorded at Volume 155, Pages 77-79, Deed Records of Willacy County.

Thereafter, a drain was constructed running south from Point "B", at a distance of approximately 3,200 feet there being now being a drain that runs to the west, said point being designated "D" for this discussion, and continues south to Gate 625-L on the north floodway levee. The District acquired the right-of-way for the drain that runs from Point "B" to Gate 625-L by document recorded at Volume 38, Pages 308-331, Official Real Property Records of Willacy County. The centerline of this drain is described by metes and bounds description.

The drain that originates at Point "D", runs west a distance of approximately 2,300 feet. The District acquired the right-of-way for this drain by the document recorded at Volume 23, Pages 42-43, Official Records of Willacy County.

The drain that runs from Point "A" to Point "B" to Gate 624-L is labeled Lateral E on District maps. The drain that runs from Point "B" to Point "C", and the drain that runs west from Point "D" have not heretofore been named.

It was proposed that the Board confirm that the drain that runs from Point "A" to Point" B" to Gate 624-L is Lateral E, that the drain that runs from Point "B" to Point "C" be named Lateral E-1, and that the drain that runs west from Point "D" be named Lateral E-2.

The motion was made by Thomas Zdansky and seconded by Dan Klostermann that the drain that runs from Point "A" to Point" B" to Gate 624-L is Lateral E, that the drain that runs from Point "B" to Point "C" is Lateral E-1, and that the drain that runs west from Point "D" is Lateral E-2. Following a discussion, the motion unanimously carried.

It was noted that unlike the drain that runs from Point "B" to Gage 624-L the drains running from Point "A" to Point "B", from Point "B" to Point "C", and the drain running west from Point "D" are not described by metes and bounds description. A discussion followed about engaging a surveyor to determine the centerline of the drains running from Point "A" to Point "B", from Point "B" to Point "C", and the drain running west from Point "D" be described by metes and bounds. This not being an action item on the agenda, action was deferred to the next meeting.

9. Reports: Receive reports and make decisions respecting the subject of such reports including:

9.1 Manager

- (a) Willacy County Drainage District No. 2- Maintenance is in good shape and only doing mowing at this time.
- (b) Overall Lateral Maintenance – Current ditch maintenance is in good shape.
- (c) Santa Monica East Pump repair. The repairs were completed and the pump reinstalled on October 1, 2020. Instead of replacing just the lower two bushings, the repair shop replaced all of the other bushings at no additional cost.
- (d) Santa Monica West Pump. As expected, the inspection of the pump revealed that the bolts and grease line are not stainless steel. However, while rusty and nearing the point of failure, none of the bolts are broken and that the grease line is still intact. In order to replace the bolts and the grease line, the pump will have to be pulled, which requires a crane. Manager Greenhill recommended that replacement of the bolts and grease line be deferred until December, after the end of the 2020 hurricane season, and, since the pump has to be pulled anyway, that the pump be dismantled and the bushings be inspected and replaced if necessary. Manager Greenhill also noted that the device that feeds the grease to the lower bushings of the West Pump is different from, and superior to, the device on the East Pump, and proposed that the device of the East Pump be replaced with one like on the West Pump. The motion was made by Thomas Zdansky and seconded by Dan Klostermann that the replacement of the West Pump bolts and grease line be deferred until December, that in addition to the replacement of the bolts and grease line the pump be dismantled and the bushings be replaced if necessary, and that the East Pump grease feeder device be replaced with the same device installed on the West Pump. Following a discussion, the motion unanimously carried.
- (e) Relief Channel: Las Majadas Wind Farm temporary crossing. The temporary crossing has been removed this morning.
- (f) Right-of-way on east side of Hidalgo-Willacy Joint Venture Drain. License Agreement authorizing Las Majadas to cross 100-foot right-of-way. Still waiting for signatures and payment for Hidalgo-County Joint Venture Drain License Agreement authorizing Las Majadas to cross 100-foot right-of-way. The signed license agreement has not been delivered to the District.
- (g) Right-or-Way on east side of Hidalgo-Willacy Joint Venture Drain. License Agreement to County respecting existing county road and roadside drain. The License Agreement has not been yet been submitted to the County. Manager Greenhill plans to submit it to County Judge Guerra this afternoon.

9.2 Attorney: Documenting District's ownership of right-of-way and other interests. A report on the status of the project was presented.

10. Financial Reports:

10.1 Financial Report for month of September 2020 were presented and reviewed.

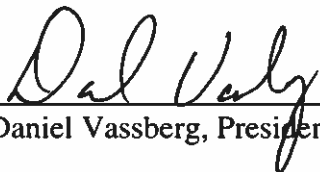
10.2 Accounts for Month of September and wages for month of October 2020. Motion made by Terry Galle and seconded by Thomas Zdansky that the following expenditures for the month of September 2020 expenditures totaling \$88,741.17 beginning with check #2552 and ending with check #2578 be approved:

WCDD #1 Payroll	2574	\$ 35,000.00	Payroll Expense
AT&T Mobile	2553	\$ 230.10	Telephone
Alamo Lumber	2554	\$ 44.45	Supplies
Cintas	2555	\$ 49.95	Supplies
City of Lyford	2556	\$ 129.81	Water
Core and Main	2557	\$ 4,425.00	Pipe
Wells Fargo – Corporate Card	2558	\$ 602.29	Supply/Misc./Office
Dossett Law Office	2559	\$ 150.00	October Retainer
Dossett Law Office	2578	\$ 1,790.00	Legal Fees
Guardian	2560	\$ 297.52	Employee Paid Ins.
Holt	2561	\$ 221.38	Supplies
International Machine Shop	2562	\$ 14,000.00	Supplies
Johnny's True Value	2563	\$ 563.39	Supplies
John Deere Financial	2564	\$ 565.32	Supplies
NPE	2565	\$ 794.93	Supplies
Oil Patch Fuel & Supply	2566	\$ 237.06	Oil/Grease
Praxair	2567	\$ 361.40	Supplies
ProBilling - :Burton's	2568	\$ 606.72	Supplies
Reliant	2569	\$ 243.39	Electricity
Rusty's Refrigeration & A/C	2552	\$ 3,552.07	Ice Machine
TML – Texas Municipal League IRP	2572	\$ 19,953.30	Insurance
T & W Tire	2570	\$ 120.00	Repairs
Tidwell Plumbing	2571	\$ 161.80	Repairs in Office
VTX Telecom, LLC	2573	\$ 112.41	Telephone/Internet
Willacy County	2575	\$ 4,211.99	Health Insurance
Xerox Financial Services	2576	\$ 316.89	Copier- Rental
Total		\$ 88,741.17	

Following a discussion, the motion unanimously carried.

11. Take up such other matters as may properly be brought before the Board. None.

The meeting adjourned at 12:30 p.m.


 Daniel Vassberg, President


 Terry Galle, Vice-President