

MINUTES  
WILLOW FORK DRAINAGE DISTRICT

September 13, 2012

The Board of Directors (the "Board") of Willow Fork Drainage District (the "District") met in regular session, open to the public, on September 13, 2012, at the Willow Fork Country Club, 21055 Westheimer Parkway, Katy, Texas, inside the boundaries of the District, and the roll was called of the members of the Board:

Richard Ward	President
Scott Lyons	Vice President
Joe Robinson	Secretary
Darrell Kainer	Assistant Vice President
April Renberg	Assistant Secretary

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

Also present at the meeting were R. J. Linton, District resident; Julie Williams of Rathmann & Associates; Greg Sissel of BKD, LLP ("BKD"); Rich Rankin of Severn Trent Services; Fran Matuska of F. Matuska, Inc.; Meade Mitchell of TBG Partners; Dennis Tiff of Champions Hydro-Lawn, Inc. ("Champions"); Melinda Garza Salazar and Robert Wempe of AECOM Technical Services, Inc. ("AECOM"); and Stephen M. Robinson and Patti Porter Hopper of Allen Boone Humphries Robinson LLP.

APPROVE MINUTES

The Board reviewed the minutes of the August 9, 2012, meeting. After review and discussion, Director Robinson moved to approve the minutes. Director Lyons seconded the motion, which carried unanimously.

2012 TAX RATE

Ms. Williams reviewed Rathmann & Associates' 2012 tax rate recommendation of \$0.11 per \$100 assessed valuation for debt service and \$0.03 per \$100 assessed valuation for maintenance and operations of drainage facilities and \$0.05 per \$100 assessed valuation for park maintenance and operations. After review and discussion, Director Robinson moved to approve the 2012 tax rate recommendation and authorize the tax assessor/collector to publish notice of same in a newspaper with general circulation in the District. Director Lyons seconded the motion, which carried unanimously. The Board concurred to adopt the tax rate at the October meeting.



## ENGAGE COMPANY TO CONDUCT REBATE STUDY FOR SERIES 2002 BONDS

The Board next reviewed a proposal from OmniCap Group, LLC to conduct a rebate study for the Series 2002 Bonds for a fee of \$2,500.00. After review and discussion, Director Robinson moved to engage OmniCap Group, LLC to conduct the rebate study. Director Renberg seconded the motion, which passed by unanimous vote.

## COMMENTS FROM DISTRICT RESIDENTS

There were no residents present who wished to address the Board. Director Ward stated he received a request from someone who wanted to speak to the Board regarding participation in youth projects. He stated he advised the person of the time and location of the meeting.

## SECURITY SERVICES

Director Lyons reviewed the security report.

## MAINTENANCE OF STORM SEWER LINES

Mr. Rankin distributed the storm sewer maintenance report, a copy of which is attached.

## BOOKKEEPER'S REPORT

Ms. Matuska reviewed the bookkeeper's report, a copy of which is attached, including the checks presented for payment. Ms. Matuska requested authorization to open a new account for Park operations. Director Robinson reviewed the Fort Bend Central Appraisal District budget. After review and discussion, Director Robinson moved to approve the bookkeeper's report, the investment report, payment of the bills, and opening a new account. Director Renberg seconded the motion, which passed by unanimous vote.

## BUDGET FOR FISCAL YEAR ENDING SEPTEMBER 30, 2013

Ms. Matuska next reviewed the draft budget for the fiscal year ending September 30, 2013. After review and discussion, Director Robinson moved to adopt the budget as discussed. The motion was seconded by Director Renberg and carried unanimously.

## ENGAGE AUDITOR

Mr. Sissel next reviewed BKD's proposal to conduct the audit for the fiscal year ending September 30, 2012, for a fee of \$14,900 plus \$500 for expenses. After review and discussion, and upon a motion by Director Robinson and a second by Director Lyons, the Board voted unanimously to engage BKD to prepare the audit.



## TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Matuska distributed the tax report, a copy of which is attached. Director Robinson moved to approve the tax report. Director Renberg seconded the motion, which carried unanimously.

## OPERATOR'S REPORT, INCLUDING AUTHORIZING DITCH MAINTENANCE

Mr. Tiff reviewed the operator's report with the Board, a copy of which is attached, and reviewed pictures of ditches.

Mr. Tiff updated the Board regarding the desilting of Ditch VA9.

Mr. Tiff next requested authorization to repair a sink hole on the Diversion Channel West of Mason Road for an estimated cost of \$7,495.00.

Mr. Triche stated an email was received regarding slippery walk bridges, and it was determined it was a Fort Bend County bridge.

Mr. Tiff stated the Kelliwood Homeowner Association has requested the District to take responsibility for the master lock on the gate at Perdido Bay.

After review and discussion, Director Renberg moved to approve the operator's report, the repairs, the sink hole repair, taking possession of the master lock on the Perdido Bay gate, and the October mowing. Director Lyons seconded the motion, which carried unanimously.

## ENGINEER'S REPORT

Ms. Salazar submitted to the Board the written engineer's report, a copy of which is attached.

Ms. Matuska reviewed and recommended approval of a drainage capacity reservation for La Centerra, Phase II.

Ms. Matuska stated she received a drainage study for a 116-acre Meritage Home Development located at Gaston Road and Roesner Road.

Discussion ensued regarding the U.S. Army Corps of Engineers ("USACE") national permit approval and the linear park. She stated a meeting was held with the USACE. She stated a stream analysis is being prepared to determine if the project qualifies for status under the Nationwide Permit. She stated a meeting will be set up with Richard Long once the stream analysis is complete.



Ms. Salazar next updated the Board regarding MS-4 Year 5 implementation items and presented the Year 5 report. She requested authorization to release the report to the participant districts.

Ms. Salazar updated the Board on the Grand Lakes development and stated she had no items for the Board's approval.

Ms. Salazar updated the Board on Meadowbrook Farms and stated she had no items for the Board's approval.

After review and discussion, Director Renberg moved to approve the engineer's report, approve the capacity reservation, the drainage study, pending engineering approval, the MS-4 items listed in the engineer's report, including approval of the updated MS-4 Year 5 task list and release of the Year 5 report to participant districts. Director Lyons seconded the motion, which passed by unanimous vote.

#### FORT BEND FLOOD MANAGEMENT ASSOCIATION MEETINGS MATTERS

Director Robinson updated the Board regarding Fort Bend Flood Management Association matters. He stated he will take a tour of the Fort Bend County levees on October 5.

Director Robinson reported on the NAFSMA annual conference. He distributed a summary of the conference.

#### PARK MATTERS, BOND APPLICATION, AND WEBSITE

Mr. Mitchell distributed an update of the Phase 1 Park projects, a copy of which is attached.

Mr. Mitchell updated the Board regarding the school improvement projects located at Creech Elementary, Exley Elementary, Fielder Elementary, Kilpatrick Elementary, Williams Elementary, Beck Junior High, Beckendorff Junior High, McMeans Junior High, Cinco Junior High, and Cinco Ranch High School, and stated work is on schedule. Mr. Klein reviewed and recommended approval of Pay Estimate No. 4 in the amount of \$238,937.35, payable to Stewart Builders. Director Renberg then moved, based on Mr. Mitchell's recommendation, to approve the pay estimate. Director Lyons seconded the motion, which carried unanimously.

Mr. Odle reviewed the bid tabulation for the Community Green Project and recommended award to Tribble & Stevens the lowest responsible bidder in the initial contract amount of \$1,599,734.00. The Board concurred, in its judgment, that Tribble & Stevens was a responsible bidder who would most economically and efficiently complete the project on behalf of the District. Director Renberg then moved, based on TBG's



recommendation, to award the contract to Tribble & Stevens. Director Lyons seconded the motion, which carried unanimously.

Mr. Mitchell reviewed the bid tabulation for the water and sewer facilities to serve the community green project and recommended award of the contract to Tribble & Stevens, the lowest responsible bidder, in the initial contract amount of \$34,965.00. The Board concurred, in its judgment, that Tribble & Stevens was a responsible bidder who would most economically and efficiently complete the project on behalf of the District. Mr. Robinson reviewed a letter financing agreement with Vista Equities to pre-finance the project. Director Renberg then moved, based on TBG's recommendation, to award the contract to Tribble & Stevens. Director Lyons seconded the motion, which carried unanimously.

Discussion ensued regarding the Program Manager for the Central Green. Director Renberg moved to authorize ABHR to prepare an interlocal agreement with Cinco Municipal Utility District No. 12. Director Lyons seconded the motion, which carried unanimously.

Ms. Salazar next updated the Board regarding the well at the baseball fields. She stated the disinfection system was not large enough for potable and irrigation needs. She requested authorization to prepare the plans to upgrade the well. Mr. Robinson stated he will request Commissioner Meyers to permit the funds spent for this to offset the funds the District owes the County for the concession stands. Director Renberg moved to authorize the design of the upgrade. Director Lyons seconded the motion, which carried unanimously. He stated the total cost is estimated to be \$60,000.

Ms. Salazar stated the Texas Commission on Environmental Quality has indicated the Staff Memorandum for the park bond application should be issued within the next week.

#### WATER QUALITY PROJECT (RECREATIONAL FACILITIES)

There was no discussion on this matter.

#### POST-ISSUANCE COMPLIANCE

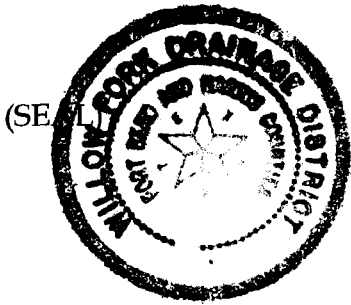
Mr. Robinson discussed post-issuance compliance requirements set forth by the Internal Revenue Service (the "IRS") for issuers of tax-exempt bonds. He stated there is no express requirement to adopt written procedures to comply with the IRS requirements, however, ABHR believes and recommends the best practice procedure for the District is to implement written procedures for post-issuance compliance. Following discussion, the Board requested Director Robinson to review the procedures and to table adoption until the October meeting.




ACTION ITEMS

The Board then reviewed and discussed the action items list.

There being no other business to come before the Board, the meeting was adjourned.



  
Secretary, Board of Directors

