

**HARRIS COUNTY BOARD OF COMMISSIONERS  
MEETING WITH MELODY LAKES PROPERTY OWNERS**

October 1, 2018

6:00 PM

Harris County Courthouse, Room 223

Commissioners Present: Harry Lange, Susan Andrews, Martha Chewing, Becky Langston, Jim Woods.  
Staff Present: Randy Dowling, County Manager; Mark DeGennaro, Acting Attorney in absence of John Taylor; Nancy McMichael, County Clerk.

Also in attendance: Brian Kimsey and Clayton Hunnicutt, of Carter Engineering; Matt Smith, of Carter & Sloope; and approximately 60 owners of property in Melody Lakes.

**CALL TO ORDER.** Chairman Lange called the meeting to order; thanked everyone for being in attendance; said that the purpose of the meeting was to give the owners of property in Melody Lakes an opportunity to hear the issues regarding the Melody Drive dam, which has been classified as a Category I by EPD; explained that following his introduction, a PowerPoint presentation would be made by Brian Kimsey and Clayton Hunnicutt, of Carter Engineering, with assistance from Matt Smith, of Carter & Sloope, after which the floor would be open for questions or comments. He then explained that because the County owns the road (Melody Drive) over the dam, EPD is requiring the County to take action to come into compliance with the State's Safe Dams Act.

Brian Kimsey, with assistance from Clint Hunnicutt, reviewed and discussed the PowerPoint presentation, which detailed the six options suggested as a means to resolve the compliance issue; that as long as a dam is over 25' tall and contains over 100 acre feet of water, it's a Category I dam; and that the pool is 16.9 acres with a volume of 144 acre feet. Following the presentation, comments from the audience included:

- the volunteer fire department, which is no longer in existence, used to take care of the dam
- the value of homes will go down
- the water is used to fight fires
- the water is used by animals (deer, geese, etc.)
- what happens to the other dams?
- what's the difference between options 5 and 6?
- what happens to the property that abuts the lake?
- draining the lake will result in the area being muddy and nasty
- will ruin the aesthetics for homeowners
- an emotional issue for property owners
- find another cheaper alternative
- go out on bid
- would County pay for repairs to other dams, like in Coca Lake?
- would the County own the property if lake is drained?
- what's the County's budget and why can't it find the funds?
- did the property owned by the HOA revert to the County?
- do not want to see lake drained and end up walking in mud
- form a task force and work with the County
- everything comes down to money, which is understood
- removing the road would cause the Waverly Hall fire truck, currently housed in the old VFD building, to go out to SR 208 and back in through the other entrance to reach the west side of the Melody Lake, which will take about 4-6 minutes longer
- delay a decision until the homeowners have an opportunity to get together to try to reorganize the HOA and meet with the County to come up with other ideas
- with the former HOA not having paid taxes, why hasn't the property been sold for back taxes on courthouse steps?
- no one knew about any of the meetings during which the Board discussed this issue
- there are over 900 parcels of property
- the contact for Melody Lakes property owners is Michael Varnum

Responses included:

- other dams are not currently regulated
- there is no difference between options 5 and 6, except the road remains in place for option 5
- records show that property owners own to the edge of the current lake
- funds are included in the cost estimates to dress up the pool area of stream
- once scope of work is developed and construction drawings are complete, project would be bid out
- Ski Lake would have to be lowered during construction, regardless of the option chosen, but would not be permanent
- other dams, like the one in Coca Lake, are maintained by the appropriate HOA
- the dam in Piedmont is maintained by its HOA, the dam in Pine Lake is maintained by those property owners
- County would not own the property if lake is drained

- the residents of Melody Lakes petitioned the County to take over road, back in the early 90s, and the County took over some, but not all of the roads, and maintain same
- if County had not accepted the roads, the residents of Melody Lakes would be responsible for resolving the Category I classification
- budget (general fund) is \$25,000,000 and funds are allocated for specific purposes
- it's the County's responsibility to maintain the road over the dam
- property owned by an HOA does not revert to the County simply because an HOA not longer exists
- this matter was brought before the property owners to get comments as the County does want to help resolve the issue
- the County cannot do anything to property unless such is deeded to the County
- the costs estimates are preliminary
- if the lake is lowered to less than 100 acre feet and the height lowered to less than 25', then the dam would no longer be classified as a Category I
- no objections to delaying decision for 60 days or to meeting with property owners to discuss any ideas they may have
- don't know why the property owned by the former HOA has not been sold for back taxes
- all Commission meetings are properly advertised, most are video taped and placed on YouTube, and the agenda and minutes are on the website
- EPD will be notified that the County is working with the property owners in this matter

### **ADJOURNMENT**

Chairman Lange thanked all for their comments and adjourned the meeting at 7:50 PM.