

**MINUTES OF A MEETING OF THE DIRECTORS
OF
JEFFERSON COUNTY DRAINAGE DISTRICT NO. 6
HELD ON**

February 11, 2020

A. The meeting was called to order by Joshua W. Allen, Sr., President.

B. The following Directors were present:

Joshua W. Allen, Sr.	President
Charles "Chuck" Guillory	Secretary
Miriam K. Johnson	Vice President
Bernie Daleo	Director

Directors Absent: None.

Staff present:

Darin Auer	Shop Supervisor
Doug Canant, PE, RPLS, CFM	District Engineer
Harold "Ernie" Crochet, Jr.	Project Engineer Assistant
J. Thad Heartfield	District's Lead Legal Counsel
Jason Jones	Assistant Superintendent
Paula Karasek	Administrative Assistant
Stephen LeBlanc	Operations Manager
Danielle LeBlanc	GIS Coordinator/Title Abstractor
Dr. Joseph G. Majdalani, PE	General Manager
Candy Melancon	Right-Of-Way Agent
John Murff	Project Manager
Nelson Nixon	Superintendent
Chuck Oakley, CPA	Chief Financial Officer

Visitors: Terry Whiddon, C.P.A.- FM&W, P.C.

Alex Holder - FM&W, P.C.

Barbara Schley - FM&W, P.C.

Vincent Guillory - Dishman Rd.

Harold Clubb - Hamshire area

Grayson Pipkin - Pipkin Ranch

Dan Haver - Dishman Rd.

Mike Monk - Cole Dr.

Gerald Bailey - 23rd Street

Richey Devillier

C. Pledge of Allegiance was led by Mr. Allen.

D. Invocation was given by Mr. Nixon.

E. Workshop Session

1. There were no easements, street abandonments, or plat reviews to be discussed.
2. General discussion and reports on various drainage plans and projects. Mr. Allen suggested that this portion of the Workshop Session be moved to the end of the agenda.

F. Public Comments: Citizens in attendance were given the opportunity to address the Board of Directors on agenda items or concerns not on the agenda. The District has retained the public comment cards reflecting individuals who addressed the Board (Clubb, Haver, Monk, and Pipkin).

- G. The Minutes of January 14, 2020, were approved on a motion made by Mrs. Johnson, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.
- H. Business session:
1. The payment of routine bills received since January 14, 2020, that were not expressly authorized or denied for payment elsewhere on this agenda, were authorized on a motion made by Mr. Guillory, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.
 2. On a motion made by Mrs. Johnson, seconded by Mr. Guillory, with the voting as follows: ayes—all; nays—none, the Board acknowledged receipt and filing among the District's records of Jefferson County Drainage District No. 6's "Investment Schedule" for January 2020, pursuant to Section 2256.023 of the Public Funds Investment Act.
 3. Terry Whiddon, C.P.A.- FM&W, P.C. introduced Barbara Schley and Alex Holder, who were instrumental in the preparation of the District's Audit Report. Mr. Whiddon went over the management responsibilities with regards to the audits and noted that no misstatements were identified during the audit. Mr. Whiddon continued with the presentation of the draft "Annual Audit Report" for the period ending September 30, 2019. It was noted that an extension was filed on behalf of the District due to pending adjustment(s) by USDA Natural Resources Conservation Service ("NRCS") in connection with Phase III of the Green Pond NRCS Project.
 4. The Board approved and accepted the annual "Financial Statements as of September 30, 2019, Together with Independent Auditor's Report," as prepared by FMW, P.C., certified public accountants, and gave Mr. Whiddon authority to make the pending NRCS adjustments prior to finalization of the Audit Report.. The Board also authorized the execution of an Affidavit and Certificate for this report to the Texas Commission on Environmental Quality and other appropriate agencies as requested, on a motion made by Mrs. Johnson, seconded by Mr. Guillory, with the voting as follows: ayes—all; nays—none.
 5. Mr. Whiddon presented the "First Quarterly Report for period ending December 31, 2019."
 6. In connection with the White's Ranch Outfalls Project (Ditch Nos. 8201, 8202, 8203, 8204) and U.S. Army Corps of Engineers Permit SWG-2008-00352, the execution of the U.S. Army Corps of Engineers-Galveston District Temporary License (No. DACW64-3-20-0010) to install rock breakwater in the Gulf Intracoastal Waterway at each of the four White's Ranch Outfalls, with a term of 365 days beginning the date the license is fully executed was authorized on a motion made by Mrs. Johnson, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.
 7. In accordance with (RFQ 19-014/KJS) Professional Engineering Services, the execution of a "Professional Services Agreement (PROF 20-005/KJS)" with Gauge Engineering to conduct Various District Studies for Future Grant Funding, in an amount not to exceed \$143,985.00 was authorized on a motion made by Mr. Guillory, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.
 8. Specifications for RFP 20-003/KJS-Grant Administration and Management Services for the Community Development Block Grant Mitigation Program were approved and accepted, and advertising and a proposal evaluation for same was authorized on a motion made by Mrs. Johnson, seconded by Mr. Guillory, with the voting as follows: ayes—all; nays—none.
 9. On a motion made by Mr. Guillory, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none, the Board approved the District's registration with the Texas State Comptroller for membership access to cooperative (TxSmart Buy) purchasing and public posting of solicitations to the electronic state business daily (ESBD); and authorized payment of an annual membership fee for this service in the amount of \$100.00.

10. On a motion made by Mrs. Johnson, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none, the Board approved the purchase of three (3) Mabey Sectional Bridges as described in Bo-Mac Contractors, LTD's February 6, 2020 quote for the fixed price of \$49,950.00. Under this same motion, the Board also specifically acknowledged that this purchase was in the best interest of the District and will result in the quick, economical, and efficient repair of at least one washed out bridge on Ditch No. 1000.
11. At the request of the District's legal counsel, who has been negotiating this transaction, this item was Tabled. It will be presented for consideration at a future meeting once the negotiations have been concluded.

TABLED ITEM: Consider a resolution accepting a "Drainage Easement" received from Madonna Rake Minton, consisting of a 60-ft strip of land out of the William Smith League, Abstract 49, Jefferson County, Texas, in connection with improvements on Ditch No. 403-A1A.

12. In connection with drainage improvements to Ditch No. 814-B, a "Memorandum of Agreement" (on file in the District's records) between Drainage District No. 6 and property owners, Scott Investments (Will and James Scott), Jake "Scooter" Daleo, and Billy Honey, Jr., regarding ditch improvements and outfall installations to be performed by their contractor, Trans-Global Solutions was accepted, and the execution of this agreement was authorized on a motion made by Mrs. Johnson, seconded by Mr. Guillory, with the voting as follows: ayes—all; nays—none.
13. In connection with drainage improvements to Ditch No. 814 and a Memorandum of Agreement between Drainage District No. 6, Scott Investments, Jake "Scooter" Daleo, and Billy Honey, Jr., the execution of a "Release of Drainage Easements" for the easements listed below was authorized on a motion made by Mr. Guillory, seconded by Mrs. Johnson, with the voting as follows: ayes—all; nays—none:

Easement 1: Being a 75' wide strip of land out of the Henry Vogel, Jr. Survey, A-619, Jefferson County, Texas, as described in a Drainage Easement recorded in Clerk's File No. 2004022261 of the Real Property Records of Jefferson County, Texas;

Easement 2: Being a 75' wide strip of land out of the Henry Vogel, Jr. Survey, A-619 (incorrectly called out as A-69), Jefferson County, Texas, as described in a Drainage Easement recorded in Clerk's File No. 2011039910 of the Real Property Records of Jefferson County, Texas; and

Easement 3: Being a 75' wide strip of land out of the Henry Vogel, Jr. Survey, A-619 (incorrectly called out as A-69), Jefferson County, Texas, as described in a Drainage Easement recorded in Clerk's File No. 2008012509 of the Real Property Records of Jefferson County, Texas.

14. In connection with drainage improvements on Ditch No. 814-B and the Memorandum of Agreement between Drainage District No. 6, Scott Investments, Jake "Scooter" Daleo, and Billy Honey, Jr., execution of the Applications and Agreements for Pipeline-Utility and/or Storm Drainpipe Tie-in Permits listed below were authorized on a motion made by Mrs. Johnson, seconded by Mr. Guillory, with the voting as follows: ayes—all; nays—none:

"Application and Agreement for Pipeline/Utility Permit-2020-PL-1" submitted by James Scott granting his contractor, Trans-Global Solutions, Inc., permission to cross Ditch No. 814-B with two 48-in HDPE pipes.

"Application and Agreement for Storm Drainpipe Tie-In Permit 2020-SDP-1" submitted by James Scott granting his contractor, Trans-Global Solutions, Inc., permission to tie in five 24-in HDPE pipes into Ditch No. 814-B.

“Application and Agreement for Storm Drainpipe Tie-in Permit 2020-SDP-4” submitted by Billy Honey granting his contractor, Trans-Global Solutions, Inc., permission to tie in one 24-in HDPE pipe into Ditch No. 814-B.

“Application and Agreement for Storm Drainpipe Tie-In Permit 2020-SDP-5” submitted by Jake Daleo granting his contractor, Trans-Global Solutions, Inc., permission to tie in one 24-in HDPE pipe into Ditch No. 814-B.

15. The execution of an “Application and Agreement for Storm Drainpipe Tie-In Permit (2020-SDP-3)” submitted by Brystar Contracting, Inc. granting them permission to tie in five (4-ft x 4-ft) box culverts into Ditch No. 309 at the proposed IH-10 Industrial Park was authorized on a motion made by Mr. Daleo, seconded by Mrs. Johnson, with the voting as follows: ayes—all; nays—none.
16. The execution of an “Application and Agreement for Storm Drainpipe Tie-In Permit (2020-SDP-02)” submitted by Laurel Vista Apartments, PL granting their contractor, Herman & Kittle Properties, permission to tie a 42-in HDPE pipe and a 24-in HDPE pipe into Ditch No. 115 (Beaumont High School Easement) was authorized on a motion made by Mr. Guillory, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.
17. The execution of a “Temporary Work Agreement” submitted by Bruno and Julie Lioi, granting their contractor, Francisco Remodeling, access to the District’s right-of-way on Ditch Nos. 202 and 202-A for the purpose of installing a fence at 3757 Champions Dr., Beaumont, Jefferson County, Texas, was authorized on a motion made by Mr. Daleo, seconded by Mr. Guillory, with the voting as follows: ayes—all; nays—none.
18. The sale at public auction of the old and/or worn-out surplus equipment listed below, with the proceeds from the sale to be deposited into the Maintenance and Operating Fund, was authorized on a motion made by Mr. Daleo, seconded by Mr. Guillory, with the voting as follows: ayes—all; nays—none:

Outdated Stadium Lights
Empty Chemical Totes

I. Board Comments, no action items.

Mr. Daleo thanked the citizens in attendance for their interest and for voicing their concerns. He also thanked the maintenance staff for the increased ditch work that is visible in the community.

Mr. Allen concurred with Mr. Daleo’s comments, and in response to Mr. Monk’s question about what more can the District do to provide more information to the public, he reported that that the District has had internal discussions, and is currently working on a method to get information out to the taxpayer; whether it be on-line or through the media. Mr. Allen briefly explained the misconception surrounding the news reports that some available funds were not being utilized by the District.

Continuation of:

E. Workshop Session.

2. General Discussion and reports on various drainage plans and projects.

- a. Mr. Canant briefly addressed concerns raised by Mr. Monk, Mr. Clubb, and Mr. Pipkin. With regard to the news media report that DD6 turned down grant funds, Mr. Canant reported the following: The District had been working for the last six months on applying for HUD funds to do matching grants for about \$18 million in projects (six projects). The District received two of the six contracts and is currently waiting on approval for the other four, which will be funded through FEMA and administered by TWDB or TDEM. These grants have a 25% local match. The District found out that HUD funds might be available for the local match and started the application process for those funds. A couple of weeks ago, the TWDB freed up some State money from the Rainy Day Fund and are going to grant the

District the same matching funds that the District has previously applied for through HUD. This put the District in a situation of having two pots of money to pull from for the same matching funds. The District cannot accept funds for the same project from two pots. Mr. Canant explained that once the Rainy Day funds were opened, it was mandated that the District accept the Rainy Day funds.

This freed up about \$3.5 million in HUD grants. Through an Interlocal Agreement with Jefferson County, the District could be eligible for these HUD funds. Judge Branick was able to secure a deadline extension for these funds through the GLO. At the February 10th, 2020 Jefferson County Commissioners' Court workshop, the District submitted projects to utilize the funds. DD7 also submitted some projects, so the County Commissioners have plenty of projects to consider for these funds. The County will make the decision on which projects they want to use their funds on. Mr. Canant stated that he felt sure that DD6 would receive some of these funds. He confirmed that the HUD funds were not being sent back, they will be used for drainage in Jefferson County.

- b. Mr. Canant addressed Mr. Haver's interest in the proposed Byrd Gully Project. He noted that although there are a couple of hurdles to clear, plans are to start this project in the spring. The District expects to receive the grant contract for this project in the next several weeks. He went on to explain the design of this project. He noted that this project involves the LNVA Canal and they have approved the plan and agreed to help with the work to dam the canal. At this time, the District is waiting to receive the final grant contract for this project. Mr. Allen added that the District cannot start a project prior to executing a contract because the District could risk forfeiting the contract.

Mr. Canant confirmed for Mr. Haver that the work being performed at Reins Road, with assistance by Precinct 1, will benefit the subdivisions up Reins Rd. and will take water out of their area and to Byrd Gully, with no impact to his area. It was noted that this work is not part of the Byrd Gully Project, and that the District does have plans to clean the ditch from the LNVA Canal to the corner of Gentry and Reins, as well as install some larger culverts (Reins and Gentry).

- c. Mr. Canant noted that the District has decided to knock the levee down to ground level at Needmore, from Needmore Rd. south. The District is currently working with its environmental consultant to determine a location to place the excavated material. Mr. Pipkin offered his property as a placement area and Mr. Canant asked him to work with Mr. Murff to come up with a proposed plan.

Mr. Canant confirmed for Mr. Clubb that the District will also remove some of the levee around where the DOE line and the other part of Willow Slough crosses. With regard to Mr. Clubb's request to remove the levee north of Hwy-73, Mr. Allen stated that the District will look into that matter and will address his issue.

- c. Dr. Majdalani updated the Board on preparations that are being made to build up the District's Engineering Department to perform all the in-house engineering work that will be associated with the District's grant award. Mr. Canant introduced Harold "Ernie" Crochet, Jr. who was hired to fill one of the two engineering positions the Board approved.

- J. There was no other business and Mr. Allen called for the meeting to be adjourned.



Secretary/Asst. Secretary

COMMENT CARD

Phone Number: 409-658-2142

Name:

Jeffrey Vincent

Date of

Meeting:

3/10/20

Address:

12191 Dishman

Topic & details to be discussed:

WHEN DDG will Replace 42" pipe under
LAVA SW BRD gully NEAR GENTRY
ROAD.

COMMENT CARD

Phone Number: 409-960-2862

Name:

Mike Mark

Date of Meeting:

2/12/20

Address:

11200 Cole Dr, Burt, TX

Topic & details to be discussed:

revert country funds

COMMENT CARD

Phone Number: 409 781 4113

Name:

DAN HAVER

Date of

Meeting:

2/11/2020

Address:

12095 DISHMAN RD

Topic & details to be discussed:

BIRD CDSR IMPROVEMENTS

\$ DRAINAGE @ CORNER OF SENTRY & DISHMAN
RD'S RD IMPROVEMENTS? BIRD CDSR IMPROVEMENTS?

COMMENT CARD

Phone Number: 782-5877

Name:

Harold Clubb

Date of

Meeting:

2/11/2020

Address:

P.O. Box 435 Hampshire

Topic & details to be discussed:

Drainage
