

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

FEBRUARY 7, 2023

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
Bernie Daleo	Vice President
Anthony "Tony" Malley, III	Director
Charles "Chuck" Kiker, III	Director

Directors Absent: None

Staff present:

Jamar Banks	Safety and Training Coordinator
Doug S Canant, Jr., PE, RPLS	Interim Chief Operating Officer
Kristen Ferguson, CPA	Chief Financial Officer
J. Thad Heartfield	District's Legal Counsel
Jason Jones	Maintenance Coordinator
Paula Karasek	Executive Assistant
Chace Mann	Program and HR Manager
James McDonald	Construction Coordinator
John Murff	Field Operations Manager
Karen J. Stewart, MBA, CTCD/CTCM	Chief Business Officer
Wallace "Butch" Wilson, PE, CFM	Senior Engineer

Visitors: Jana Uribe of Pollans & Cohen, P.C.
Terry Whiddon and Alex Holder of FMW, P.C.

C. Mr. Allen led the Pledge of Allegiance.

D. Invocation was given by Mr. Banks.

E. Public Comments: Any citizens in attendance were given the opportunity to address the Board of Directors on agenda items or concerns not on the agenda. The District retains the public comment cards reflecting individuals who addressed the Board.

There were no public comments.

F. Workshop Session

1. There were no easements, street abandonments, or plat review discussions.

2. Discussions and/or reports on various drainage plans and projects.

Mr. Canant discussed a possible drainage project to solve a long-standing problem involving the Emmerson Enclave addition and Pierre Street. The project would be a small culvert installation project at the rear of Galaxy Homes' four vacant properties and an easement to be donated by the Barnes Family, with possible participation by the City of Beaumont.

G. The Minutes of January 10, 2023, were approved on a motion made by Mr. Guillory, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.

H. Business session:

1. Consider a resolution authorizing the payment of routine bills received for the month of January 2023, that were not expressly authorized or denied for payment elsewhere on this agenda.

Motion made by: Mr. Daleo

Second by: Mr. Guillory

In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker

Opposed: None

Action: AUTHORIZED

2. Acknowledge the receipt and filing of Jefferson County Drainage District No. 6's "Investment Schedule for January 31, 2023," pursuant to Section 2256.023 of the Public Funds Investment Act.

Motion made by: Mr. Malley

Second by: Mr. Daleo

In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker

Opposed: None

Action: ACKNOWLEDGED

3. The "Annual Audit Report" for the period ending September 30, 2022, was presented by Jana Uribe of Pollans & Cohen, P.C., with follow-up comments from Terry Whiddon of FMW, P.C. In summary, the District's report was very good, with no findings, and no disputes.

4. Consider a resolution approving and accepting the annual "Financial Statements as of September 30, 2022, Together with Independent Auditor's Report," as prepared by Pollans & Cohen, PC, certified public accountants, and authorizing the execution of an affidavit and certificate for this report to the Texas Commission on Environmental Quality and other appropriate agencies as requested.

Motion made by: Mr. Dale

Second by: Mr. Malley

In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker

Opposed: None

Action: APPROVED AND ACCEPTED

5. After a meeting of the District's Investment Committee on January 24, 2023, consider a resolution approving the District's "Investment Policy and Procedures for 2023" as required by statute, which was revised pursuant to the Public Funds Investment Act compliance checklist to incorporate Marketability information under 3.0 Investment Objectives and Priorities, Conflicts of Interest language under 4.0 Investment Responsibility and Control, and Rating Changes under 8.0 Investment Procedures.

Motion made by: Mr. Guillory

Second by: Mr. Daleo

In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker

Opposed: None

Action: APPROVED

6. As required by statute, consider a resolution approving the District's revised "Approved List of Brokers/Dealers" (Exhibit 2 to Investment Policy and Procedures) revised to reflect the merger of Allegiance Bank with Community Bank/Stellar BankCorp, Inc. and the addition of Southside Bank.

Motion made by: Mr. Malley
Second by: Mr. Kiker
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: APPROVED

7. In connection with Jefferson County's U.S. Department of Housing and Urban Development Grant for OMB No. 2506-0087, Texas CDBG Disaster Recovery Program for lengthening the bridge at the North Fork of Taylor's Bayou (funding provided by the Texas General Land Office CDBG-DR funds), consider a resolution authorizing the execution of an "Interlocal Agreement" between Jefferson County ("County") and Drainage District No. 6 ("District") wherein the County and District agreed to equally split excess costs of professional engineering services (not to exceed \$500,000.00) that go beyond the final approved budget for engineering from the CDBG funds; and wherein the District agrees to widen the North Fork of Taylor's Bayou outside the Texas Department of Transportation's right-of-way, as needed.

Motion made by: Mr. Daleo
Second by: Mr. Guillory
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: AUTHORIZED

8. Consider a resolution authorizing the execution of a "Letter of Agreement" (on file in the District's records) between Drainage District No. 6, Johnny Sue Myers, and Krin Elizabeth Villacres, wherein the District agrees to perform certain work on their property in exchange for the conveyance of a Drainage Easement along Ditch Nos. 207, 207-A, 207-B1, 207-B2, 207-E, 607-E, and 607-E1 (off Walden Rd., west of Major Dr.).

Motion made by: Mr. Daleo
Second by: Mr. Malley
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: AUTHORIZED

9. In connection with drainage improvements on Ditch Nos. 207, 207-A, 207-B1, 207-B2, 207-E, 607-E, and 607-E1 (off Walden Rd., west of Major Dr.), and pursuant to a Letter of Agreement dated November 1, 2022, consider a resolution accepting a "Drainage Easement" donated by Johnny Sue Myers and Elizabeth Villacres consisting of the actual width of the aforementioned ditches, including improvements, plus 25 feet on each side of the ditch tops where the ditches lie on their property located in the Garden Villas Subdivision, A. Savery League, Abstract 46 of Jefferson County, Texas.

Motion made by: Mr. Daleo
Second by: Mr. Malley
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: ACCEPTED

10. Consider a resolution authorizing the execution of a "Letter of Agreement" (on file in the District's records) between Drainage District No. 6 "District" and Dishman Land Management, LLC. wherein the District agrees to perform certain work on their property in exchange for the conveyance of a Drainage Easement along Ditch No. 803 (west Nome).
- Motion made by:** Mr. Daleo
Second by: Mr. Malley
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: AUTHORIZED
11. Pursuant to a Letter of Agreement dated January 30, 2023 (on file in the District's records), consider a resolution accepting a "Drainage Easement" received from Dishman Land Management, LLC. consisting of the actual width of Ditch No. 803 (west Nome), including improvements, plus 25 feet on each side of the ditch tops where the ditch lies on their property located in the B. & C. Survey, Abstract 989, Section 3 in Liberty County, Texas, and the B. & C. Survey, Abstract 398, Section 3 and Abstract 568, Section 2 in Jefferson County, Texas.
- Motion made by:** Mr. Daleo
Second by: Mr. Malley
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: ACCEPTED
12. Consider a resolution authorizing the execution of a "Notice of Encroachment License" granting Harmony Public Schools an encroachment on Ditch No. 118-B (Phelan & Dowlen) consisting of a 40-ft wide by 470-ft long concrete parking lot, six landscaping islands, three small earthen swale ditches, and ten concrete junction boxes, and also providing for the relocation of an existing 42-in underground JCDD6 drainage pipe.
- Motion made by:** Mr. Daleo
Second by: Mr. Malley
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: AUTHORIZED
13. Consider a resolution authorizing the execution of an "Application and Agreement for Storm Drainpipe Tie-In Permit 2023-SDP-1," submitted by Nihat Bayhan on behalf of Harmony Public Schools, requesting permission to tie six 12-in HDPE pipes and one 30-in RCP pipe into Ditch No. 118-B (Phelan & Dowlen); and also approving a fee of \$1,750.00 for these seven tie-ins.
- Motion made by:** Mr. Guillory
Second by: Mr. Malley
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: AUTHORIZED/APPROVED

14. Consider a resolution authorizing the execution of an "Application and Agreement for Pipeline/Utility Permit 2023-PL-1" submitted by Energy Transfer requesting permission to access the District's right-of-way to perform maintenance and repairs on a 10-in crude oil line crossing Ditch No. 607 (N. Meeker Rd.) and also approving a fee of \$500.00 associated with this permit.

Motion made by: Mr. Kiker

Second by: Mr. Malley

In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker

Opposed: None

Action: AUTHORIZED/APPROVED

- I. Board and Staff comments, no action items.

Mr. Daleo thanked Mr. Murff for working with the Myers Family in securing an easement on Ditch 207, which will help drain the area off Hwy-90/Garden Villas.

- J. There were no further comments and Mr. Allen called for adjournment of the meeting.



Secretary/Asst. Secretary