

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

**MARCH 14, 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:

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
John Murff	Field Operations Manager
Karen J. Stewart, MBA, CTCD/CTCM	Chief Business Officer
Wallace "Butch" Wilson, PE, CFM	District Engineer

Visitors: None

C. Mr. Allen led the Pledge of Allegiance.

D. Invocation was given by Mr. Mann.

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. There were no discussions and/or reports on various drainage plans and projects.

G. The Minutes of February 7, 2023, were approved on a motion made by Mr. Daleo, seconded by Mr. Malley, with the voting as follows: ayes—all;

H. Business session:

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

**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

2. Acknowledge the receipt and filing of Jefferson County Drainage District No. 6's Investment Schedule for February 28, 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. In connection with the Lease Agreement between the Beaumont Radio Control Club (a nonprofit association) and Jefferson County Drainage District No. 6, approved by the Board of Directors on March 26, 2019, (located north of Folsom Road, Pond A, Spoil Area No. 10), consider a resolution authorizing the execution of a "First Modification of Lease Agreement" which incorporates a provision for the payment of real property taxes by the tenant, if, because of its use, the premises becomes taxable, with no other changes to the original agreement.

**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

4. In connection with the Lease Agreement between the Beaumont Youth Soccer Club and Jefferson County Drainage District No. 6, approved by the Board of Directors on May 17, 1994, (Section B of the Meadows Detention Basin), consider a resolution authorizing the execution of a "Third Modification of Lease Agreement" which incorporates a provision for the payment of real property taxes by the tenant, if, because of its use, the premises becomes taxable, with all other provisions of the original lease and previous lease modifications to continue in full force.

**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



5. In connection with the Lease Agreement between the Spindletop Select Soccer Club and Jefferson County Drainage District No. 6, approved by the Board of Directors on May 22, 2007, (Middle Pond C of the Meadows Detention Basin), consider a resolution authorizing the execution of a "Second Modification of Lease Agreement" which incorporates a provision for the payment of real property taxes by the tenant, if, because of its use, the premises becomes taxable, with all other provisions of the original lease and previous lease modifications to continue in full force.

**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**

6. In connection with the term contract for Aerial Herbicide Application for Jefferson County Drainage District No. 6 (RFP 21-036/KJS) awarded to Industrial Helicopter and approved on April 12, 2022, consider a resolution authorizing the execution of the first of four 1-year renewal options, extending the contract expiration date from April 11, 2023 to April 10, 2024.

**Motion made by: Mr. Daleo**

**Second by:**

**In favor:**

**Opposed:**

**Action: FAILED FOR LACK OF A SECOND MOTION**

7. In connection with Invitations for Bid, opening on March 23, 2023, consider a resolution granting the Interim Chief Operating Officer authority to award and execute an Acceptance of Offer to the bidder(s) representing the best value and meeting the District's specifications for the Term Contract for Herbicides for Jefferson County Drainage District No. 6 (IFB 23-002/SC), with ratification of the award at the meeting following the award.

**Motion made by: Mr. Malley**

**Second by: Mr. Guillory**

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

**Opposed: None**

**Action: AUTHORITY GRANTED**

8. In response to Request for Qualifications for Professional Services for Property Appraisals for Jefferson County Drainage District No. 6 (RFQ 23-003/KJS) received on February 16, 2023, consider a resolution to accept qualifications from Cook & Associates, Inc. Real Estate Appraisers, with awards to be made on a per property basis, as needed.

**Motion made by: Mr. Malley**

**Second by: Mr. Daleo**

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

9. Pursuant to the authority granted to the Interim Chief Operating Officer on December 13, 2022, consider a resolution ratifying the execution of a contract with Horizon Environmental Services, in connection with (RFP 22-027/KJS) Environmental Services for Grant Application Development, in the following project amounts not to exceed: Borley Heights (\$41,474.25), Virginia Street Detention (\$58,729.00), and Delaware Street Detention (\$58,729.00).

**Motion made by:** Mr. Guillory

**Second by:** Mr. Malley

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

**Opposed:** None

**Action:** RATIFIED

10. In connection with drainage improvements along Ditch Nos. 212, 212-A, 214, and 215 (Ford Park area), consider a resolution accepting a Drainage Easement donated by Jefferson County 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 Samuel Stivers League, Abstract 51, Jefferson County, Texas.

**Motion made by:** Mr. Kiker

**Second by:** Mr. Daleo

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

**Opposed:** None

**Action:** ACCEPTED

11. Consider a resolution authorizing the execution of a February 9, 2023 "Letter of Agreement" (on file in the District's records), between Drainage District No. 6 and Lloyd and Susan Martin, wherein the District agrees to perform certain work on their property in exchange for the conveyance of a Drainage Easement along Ditch Nos. 500-A2 and 500-A3 (Taylor's Bayou Rd.).

**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

12. Pursuant to a Letter of Agreement dated February 9, 2023, and in connection with drainage improvements along Ditch Nos. 500-A2 and 500-A3 (Taylor's Bayou Rd.), consider a resolution accepting a "Drainage Easement" donated by Lloyd and Susan Martin, 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 John J. French League, Abstract 23, Jefferson County, Texas.

**Motion made by:** Mr. Daleo



13. Consider a resolution authorizing the execution of a January 30, 2023 "Letter of Agreement" (on file in the District's records), between Drainage District No. 6 and Harry H. Hargraves, wherein the District agrees to perform certain work on his property in exchange for the conveyance of a Drainage Easement along Ditch No. 501 (Garner Rd. & LaBelle Rd.).

**Motion made by:** Mr. Malley

**Second by:** Mr. Guillory

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

**Opposed:** None

**Action:** AUTHORIZED

14. Pursuant to a Letter of Agreement dated January 30, 2023, and in connection with drainage improvements along Ditch No. 501 (Garner Rd. & LaBelle Rd.), consider a resolution accepting a "Drainage Easement" donated by Harry H. Hargraves, consisting of the actual width of the aforementioned ditch, including improvements, plus 25 feet on each side of the ditch tops where the ditch lies on his property located in the William Smith League, Abstract 49, Jefferson County, Texas.

**Motion made by:** Mr. Kiker

**Second by:** Mr. Malley

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

**Opposed:** None

**Action:** ACCEPTED

15. In connection with drainage improvements being performed on Ditch No. 110-B (8<sup>th</sup> St. & Washington Ave.), consider a resolution accepting a Temporary Access Easement from Lorenzo Montante providing the District ingress and egress over a portion of his property to access the drainage easement along the west line of Frances Place.

**Motion made by:** Mr. Daleo

**Second by:** Mr. Guillory

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

**Opposed:** None

**Action:** ACCEPTED

16. In connection with Entergy Texas, Inc.'s overhead electrical service behind the American Tire Distributors facility on Fannett Road in Beaumont, consider a resolution authorizing the execution of an "Aerial Right-of-Way Easement" across Ditch No. 100-K to Entergy Texas, Inc. (35-ft by 100.33-ft) over a 4.932-acre tract owned by Jefferson County Drainage District No. 6 and located in the Samuel Stivers Survey, Abstract 51; and also approving the waiver of any fees for this easement conveyance.

**Motion made by:** Mr. Malley

**Second by:** Mr. Daleo

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

**Opposed:** None

**Action:** AUTHORIZED/APPROVED

17. Consider a resolution authorizing the execution of an Application and Agreement for Pipeline/Utility Permit No. 2023-PL-2 submitted by Entergy Texas, Inc., requesting permission to cross the District's right-of-way on Ditch 100-K to install 3-phase overhead electrical service behind the American Tire Distributors facility on Fannett Road in Beaumont; and also approving a fee associated with this crossing in the amount of \$1,000.00.

**Motion made by: Mr. Malley**

**Second by: Mr. Daleo**

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

**Opposed: None**

**Action: AUTHORIZED/APPROVED**

18. Consider a resolution authorizing the execution of an Application and Agreement for Pipeline/Utility Permit No. 2023-PL-3 submitted by CenterPoint Energy Resource Corp. requesting permission to install a 4-in line transporting natural gas across Ditch 110 (Westport Dr. & 11<sup>th</sup> St.); and also approving a fee of \$1,000.00 for this crossing.

**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**

19. Consider a resolution authorizing the execution of an Application and Agreement for Storm Drainpipe Permit No. 2023-SDP-2 submitted by Brystar Contracting on behalf of the City of Beaumont, requesting permission to tie one 36-in drainpipe into Ditch No. 1004-B1 to serve the Seven Stars Phase 1 residential subdivision to be constructed in Beaumont on the north side of Highway 105 (east of Keith Rd.); and also approving a fee for this tie-in of \$250.00.

**Motion made by: Mr. Malley**

**Second by: Mr. Daleo**

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

**Opposed: None**

**Action: AUTHORIZED/APPROVED**

20. Consider a resolution authorizing the execution of an Application and Agreement for Storm Drainpipe Permit No. 2023-SDP-3 submitted by Arnold Vizena requesting permission to tie two 24-in drainpipes into Ditch No. 101-XA5 to serve the Vizena RV Park to be constructed on the north side of Hwy-365 (near Hillebrandt Rd), contingent upon receipt of all the necessary documentation; and also approving a fee for this tie-in of \$500.00.

**Motion made by: Mr. Guillory**



I. Board and Staff comments, no action items.

Mr. Kiker commended Jason Jones on his people skills and ability to solve problems out in the field. The Board concurred.

Mr. Allen advised everyone that Mr. Canant was invited by the State to testify before the State Appropriations Committee in Austin, Texas, regarding a \$400 million funding opportunity. He noted that this is quite a compliment for Drainage District No. 6 to be present on the state level. Mr. Allen thanked Mr. Canant for the great job he did in representing the District, as well as all the District's employees who, as a team, have made a big impression on the State.

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



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Secretary/Asst. Secretary