

**MINUTES OF VIDEOCONFERENCE MEETING NO. 2391
COMMISSIONERS OF
JEFFERSON COUNTY DRAINAGE DISTRICT NO. 7**

Place: 4749 Twin City Highway, Suite 300
Port Arthur, Texas

Date: March 21, 2023

Present: Commissioners
Richard Beaumont
Lester Champagne
Albert Moses, Jr.
Matthew Vincent
James Gamble, Sr.
Phil Kelley, General Manager
Glenn "Pete" Steele, Attorney

Visitors: Allen Sims, DD7
Garrett Boudoin, DD7
Dean Depew, DD7
Brady Girouard, DD7
Bruce Kirkgard, DD7
Prince Evans, GP Evans Contractor
Gina Evans, GP Evans Contractor

The meeting was called to order at 2:00 p.m. by Chairman Beaumont after ascertaining that the Notice of Meeting had been posted in accordance with the law. Commissioner Moses gave the invocation.

Minutes of Meeting No. 2390

The Minutes of Meeting No. 2390 was approved as read.

Mr. Phil Kelley submitted a letter the District received from Charles E. Reed & Associates, who is the company that is performing the District's annual audit. The letter sets forth the company's responsibilities under the generally accepted auditing standards and the planned scope and timing of the audit. No action is required on this matter. Auditing standards simply require the District to note receipt of the letter by the Board of Commissioners.

Consider Pay Request No. 8 to N & T Construction, Inc. for the New Administration Building Project

A recommendation letter to approve Pay Request No. 8 to N & T Construction, Inc. was received from Sigma Engineers for construction of the New Administration Building project in the amount of Six Hundred Sixty-Seven Thousand Six Hundred One and 22/100 (\$667,601.22) Dollars. Mr. Allen Sims stated that the drywall and painting are complete. Most of the tile has been installed. The doors and windows should be installed next week. The electricity should be turned on at the end of next week. Commissioner Champagne moved to approve Pay Request No. 8 to N & T Construction, Inc. for Construction of the New Administration Building in the amount of Six Hundred Sixty-Seven Thousand Six Hundred One and 22/100 (\$667,601.22) Dollars. Commissioner Gamble seconded the motion. The motion carried.

Consider Pay Request No. 6 to Rebel Contractors, Inc. for Improvements to Blocks Bayou Ditch, Phase 1

A recommendation letter to approve Pay Request No. 6 to Rebel Contractors, Inc. was received from Texan Engineering and Consulting, LLC for improvements to Blocks Bayou Ditch Phase 1 in the amount of Two Hundred Ninety-Eight Thousand Seven Hundred Twenty-Three and 21/100 (\$298,723.21) Dollars. Mr. Garrett Boudoin stated this payment is for channel excavation, placement of structural rock backfill, and installation of 6" concrete liner. The Contractor has completed 60% of the work using 62% of the contract time. Commissioner Gamble moved to approve Pay Request No. 6 to Rebel Contractors, Inc. for improvements to Blocks Bayou Ditch Phase 1 in the amount of Two Hundred Ninety-Eight Thousand Seven Hundred Twenty-Three and 21/100 (\$298,723.21) Dollars. Commissioner Vincent seconded the motion. The motion carried.

Request for Approval of Notice to Proceed by GP Evans Contractor, LLC

Mr. Phil Kelley introduced Mr. Prince Evans of GP Evans Contractor, Inc. and advised that he currently holds the District's seasonal mowing contract. Mr. Evans requested a pay increase on the current contract. Mr. Kelley stated that the contract is a two-year contract with an option to extend the contract for three one-year terms. The contractor may renegotiate the rate during the extension years. The current contract began in 2022. Because the contract was a competitive bid process, the law states that the bid pricing cannot be changed during the initial two years of the contract. The District's Attorney, Mr. Glenn Steele, stated that is correct. The only exception is to submit a request for a change order up to 25% due to circumstances beyond contract participants' control. Mr. Kelley stated that if Mr. Evans can bring the change order request to him before the next board meeting, he will present it to the board for consideration. The notice to proceed is tabled until the next board meeting.

Sabine Pass to Galveston Bay Project Summary

Mr. Brady Girouard stated that design efforts and work-in-kind continue on all contracts. The District met with Ryan Hemmingway, a major land owner in the Contact 5 location. The original alignment would run through the center of his property which would adversely affect his operations. A potential agreement that would lessen the impact on the landowner was presented to USACE that would run the alignment closer to Rodair Gully. If the amended alignment is approved by USACE that would give them the right of entry onto Mr. Hemmingway's property to begin surveying.

Mr. Allen Sims stated that an agreement has already been reached regarding the handling of the material from the HTRW sites. All that remains is for Valero, KCS

Railroad, USACE, the District and TCEQ to meet to discuss the path forward. Mr. Kelley stated that Major O'Sullivan with the project and Rob Newman with USACE are meeting with the Environmental Protection Agency (EPA). At a later date, the District will schedule a meeting with the EPA project manager of the Star Lake Superfund. USACE has reached out to the project manager with the EPA requesting permission to perform soil boring tests at the Star Lake Superfund Site. The project manager advised that USACE would need to go through the local co-op group which the District is part of. Mr. Kelley stated that the District believes that it has a solution that would satisfy TCEQ's requirements. The most difficult area to address is the Star Lake Superfund site. However, of the thousands of feet of levee included in this project, approximately 600 feet of levee is affected by the Star Lake Superfund Site. The effects of a hurricane that far up the river would be minimal. Mr. Sims stated that one proposal is to remove the topsoil and bring in clay to build the levee to the new design elevation and then replace the topsoil. The District would assume the responsibility of maintaining the design level of the levee through the years as it settles by adding additional material, if required.

Manager's Miscellaneous Reports

Mr. Phil Kelley presented the financial statements prepared by FMW, P.C. for the period ending February 28, 2023, and gave a collateral securities report as of February 28, 2023.

Mr. Sims stated that Mr. Garrett Boudoin obtained three competitive bids for the demolition of the 3033 Oak West, Nederland property purchased by the District. The bid was awarded to Vortech Contracting, Inc. An invoice was received from Vortech Contracting, Inc. for the demolition of the property which included removing the slab and

utilities from the property. The next step is for the engineering department to design a concrete lined ditch that would flow into lateral 6.

Mr. Sims stated that Mr. Dean Depew's pump station crew completed replacing the pipes at Pump Station #3. The crew was able to put the pipes back in place and get the station up and operational before the rain began. Mr. Kelley added that LNVA has completed the installation of sheet pile between their canal and the District's drainage ditch. The District will now finish repairing the concrete liner.

Mr. Sims stated that Mr. Brian McZeal's crew poured the last of the thick section of concrete at the new administrative office. This area will be used as a staging area for equipment during storm events.

Mr. Dean Depew stated that the Alligator Annex station has 5 engines running.

Commissioner Gamble asked if there was a wild hog issue at the Alligator Pump Station. Mr. Girouard stated that Mr. Bruce Kirkgard monitors the wild hog issue for the District. Mr. Kirkgard stated that there are signs of activity, but the crews have not had the opportunity to address the situation.

Commissioner Champagne asked about the detention pond on the Lamar State College (LSC) Truck Driver Testing Site. Commissioner Champagne asked if the District owns that property and if the District sold dirt out of the detention pond. Mr. Kelley stated that the District is not in the business of selling dirt and cannot do so. The piece of property the facility is being built on was given to LSC by the County. The District's proposed detention pond site is adjacent to the LSC property and excavation has yet to begin on the site. Mr. Girouard stated that according to the permit obtained, the LSC contractor was required to excavate to satisfy the detention pond requirements for their

facility and was responsible for excavating the dirt from the site. If there is dirt being hauled off that site, the District is not involved. Mr. Sims stated that the District has never gone out for bid on excavation agreements.

EXECUTIVE SESSION – CONSIDER AND TAKE ACTION, IF ANY, ON ITEMS
DISCUSSED IN EXECUTIVE SESSION

No executive session was held.

Checks & Purchase Orders
Maintenance Fund

Ck. No. 21871 – Barron Cook.
\$1,422.30 – Reimbursement for Training & Education Expenses

Ck. No. 21872 – Bosco Industries
\$240.00 – Septic System at PS 16 Annex

Ck. No. 21873 – Coastline Concrete Pumping, Inc.
\$1,861.56 – Concrete Truck Pump Rental - Administration Building Project

Ck. No. 21874 – FMW, Inc.
\$2,300.00 – Accounting Services for February 2023

Ck. No. 21875 – Groves Equipment Rental Co., Inc.
\$2,700.00 – 15 Ton Terrain Crane Rental 2/17 – 3/16/2023

Ck. No. 21876 – Service Pump Compressor
\$3,005.85 – Dump Truck Rental, License Fee

Ck. No. 21877 – James Gamble, Sr.
\$270.00 – Health Insurance Payment – March 2023

Ck. No. 21878 – Jefferson County Appraisal District
\$84,380.95 – 2nd Quarter Entity Allocation

Ck. No. 21879 – Johnny's Towing & Recovery
\$450.00 – Transport Truck Rental – PS #3 Discharge Rehab

Ck. No. 21880 – Kansas City Southern
\$125.00 – Annual Drainage Pipe Rental

Ck. No. 21881 – LJA Engineering, Inc.

\$1,011.46 – Data Collection System & Stormwater Management Plan

Ck. No. 21882 – M & S Unlimited Services, LLC

\$350.00 – Transport Truck Rental – PS #3 Discharge Rehab

Ck. No. 21883 – Mustang Cat

\$8,302.06 – Troubleshoot & Repair Units 2 & 4 – Alligator Bayou Upgrade

Ck. No. 21884 – N & T Construction Co., Inc.

\$667,601.22 – Pay Request No. 8 – New Administration Building Project

Ck. No. 21885 – National Networks

\$4,118.95 – Monthly Computer Service for April, Computer Equipment for Toby Davis

Ck. No. 21886 – Phil Kelley

\$1,073.54 – Reimbursement of Expenses – Legislative Summit

Ck. No. 21887 – Ritter Forest Products Nederland

\$13,780.00 – Mat Rental for New Admin Building Project, Blocks Bayou Project and PS #3 Discharge Rehab

Ck. No. 21888 – Ross Ridge Sand Company L.P.

\$1,265.00 – Dump Truck Rental – Hebert Road Project

Ck. No. 21889 – Sigma Engineers, Inc.

\$3,276.00 – New Administration Building Project

Ck. No. 21890 – Soutex Surveyors, Inc.

\$1,573.40 – New Administration Building Project

Ck. No. 21891 – Sunbelt Rentals

\$3,780.95 – Equipment Rental – New Administration Building Project

Ck. No. 21892 – Thorpe Plant Services, Inc.

\$4,428.00 – Scaffold Rental, Pull Unit 2 at PS #10 and Unit 2 at PS #15

Ck. No. 21893 – Toby Davis

\$1,879.08 – Reimbursement of Travel Expense – Golden Triangle Days & TWCA

Ck. No. 21894 – Tower Medical Center of Nederland

\$400.00 – Pre-Employment Physicals (8)

Ck. No. 21895 – TWCA Risk Management Fund

\$839.00 – Insurance Policy Amendments (3)

Ck. No. 21896 – United of Omaha
\$2,148.12 – Health Insurance Payments (2)

Ck. No. 21897 – United Rentals
\$259.00 – Trowel Machine Rental – New Administration Building Project

Ck. No. 21898 – Vortech Contracting, Inc.
\$23,223.00 – Demolition of 3033 West Oak Property – Rodair Gully Improvement

Ck. No. 21899 – Waukesha-Pearce Industries, Inc.
\$12,891.00 – Equipment Rental – Levee Repair

Ck. No. 21900 – Weisinger Incorporated
\$61,335.00 – Engine Alignments (6) – Alligator Bayou Upgrade

Ck. No. 21901 – Xylem Dewatering Solutions, Inc.
\$5,625.00 – Discharge Pipe Rehab – PS #3

Ck. No. 21902 – FILMR, LLC
\$60.00 – Social Media Posts

Ck. No. 21938 – DISA, Inc.
\$225.00 – Pre-Employment Drug Testing

Ck. No. 21939 – Duck's Dragline Service, Inc.
\$18,420.00 – Trackhoe Rental – Administration Building Project; PC130 Excavator & Cutter Head Rental – Lakeview Main

Ck. No. 21940 – Environmental Systems Research Institute
\$240.00 – ArcGIS Online – Computer Software

Ck. No. 21941 – Omar Rodriguez
\$91.46 – Reimbursement for Group Health & Dental Insurance

Ck. No. 21942 – Richard Beaumont
\$820.06 – Travel Reimbursement Summit and Health Insurance Payment

Ck. No. 21943 – Glenn H. Steele, Jr. PLLC
\$9,425.00 – Attorney's Fees


Maintenance Note Fund

Ck. No. 1075 – Rebel Contractors, Inc.
\$298,723.21 – Improvements to Blocks Bayou Ditch Phase 1

Commissioner Vincent moved that the checks from the Maintenance Fund and Maintenance Note Fund be approved for payment. Commissioner Moses seconded the motion. The motion carried.

Chairman Beaumont asked if there was any other business to come before the Board. There was none.

At 2:42 p.m., Commissioner Moses moved that the meeting be adjourned. Commissioner Gamble seconded the motion. The motion carried.


Richard Beaumont, Chairman


Matt Vincent, Assistant Secretary