

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
ORANGE COUNTY DRAINAGE DISTRICT**

**January 12, 2021**

The regular monthly meeting of the Board of Directors of the Orange County Drainage District was held on Tuesday, January 12, 2021 at 10:00 a.m. at the District Office located at 8081 Old Highway 90, Orange, Texas. Due to the COVID-19 Coronavirus pandemic, and the suspension of certain provisions of the Texas Open Meetings statutes by Governor Greg Abbott, this regular meeting of the Board of Directors was held by telephone conference call. Also, due to the social distancing orders and recommendations issued by federal, state and local authorities, and for the safety and welfare of the public and Drainage District staff, members of the public were allowed to attend and fully participate in the meeting by telephone conference call only, by calling the toll-free number and entering the access code provided, as set forth in the Notice of Meeting.

**DIRECTORS PRESENT:**

Russell Covington	Director, Precinct No. 1
Larry Ancelot, Jr.	Director, Precinct No. 2
James Scales	Director, Precinct No. 3
Hal LaPray	Director, Precinct No. 4

**DIRECTORS PRESENT BY TELEPHONE CONFERENCE CALL:**

Brent Peveto	Director At-Large (joined meeting at 10:10 a.m.)
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**DIRECTORS ABSENT:**

None

**OTHERS PRESENT:**

Don Carona	General Manager
Austin Barrow	Assistant General Manager
Cindy Pent	Recording Secretary
Keri Michutka	Accountant (By telephone conference call)
Martin Dies	Attorney (By telephone conference call)
Mickey Moshier	Insurance Consultant (By telephone conference call)

## **MEETING OPENED**

Mr. LaPray called the meeting of the Board of Directors of the Orange County Drainage District to order at 10:00 a.m. Mr. Barrow led the Invocation and the Pledge of Allegiance.

## **APPROVAL OF MINUTES**

Mr. Covington made a motion to dispense with the reading of, and to approve the minutes of the December 8, 2020 regular meeting. Mr. Ancelot seconded the motion. Motion carried 4-0.

## **VISITORS**

None.

## **RECOGNIZE ACCEPTANCE OF TEXPOOL DECEMBER 2020 REPORT**

No action required.

## **APPROVAL OF DECEMBER 2020 BILLS**

After review and discussion, Mr. Covington made a motion to approve the bills for December, 2020. Mr. Ancelot seconded the motion. Motion carried 5-0.

## **RECEIVE QUARTERLY INVESTMENT REPORT FROM THE GENERAL MANAGER AND/OR ASSISTANT GENERAL MANAGER**

Mr. Carona presented to the Board the District's quarterly investment report for the quarter ending on December 31, 2020. No action required.

## **CONSIDERATION AND ADOPTION OF RESOLUTION 2021-1, ELECTING FOR THE DISTRICT TO BECOME ELIGIBLE TO PARTICIPATE IN TAX ABATEMENT, AND ADOPTING THE ORANGE COUNTY DRAINAGE DISTRICT UNIFORM TAX ABATEMENT POLICY AND GUIDELINES**

Mr. Ancelot made a motion to adopt Resolution 2021-1, electing for the District to become eligible to participate in Tax Abatement, and adopting the Orange County Drainage District Uniform Tax Abatement Policy and Guidelines. Mr. Covington seconded the motion. Motion carried 5-0.

## **CONSIDERATION AND APPROVAL OF A TAX ABATEMENT AGREEMENT BETWEEN ORANGE COUNTY DRAINAGE DISTRICT AND OPTIMUS STEEL, LLC**

Mr. Scales made a motion to approve a Tax Abatement Agreement between Orange County Drainage District and Optimus Steel, LLC. Mr. Ancelot seconded the motion. Motion carried 5-0.

**CONSIDERATION AND AUTHORIZATION FOR DRAINAGE DISTRICT STAFF TO APPROVE THE DRAINAGE STUDY FOR BRIDGEPOINT FELLOWSHIP, TO BE LOCATED AT 1355 W. ROUND BUNCH IN BRIDGE CITY, TX, PREPARED BY SAMUEL PAUL FOUNTAIN, P.E. DATED SEPTEMBER 12, 2020**

Mr. Scales made a motion to authorize Drainage District Staff to approve the Drainage Study for Bridgepoint Fellowship, to be located at 1355 W. Roundbunch in Bridge City, TX, prepared by Samuel Paul Fountain, P.E. dated September 12, 2020. Mr. Covington seconded the motion. Motion carried 5-0.

**CONSIDERATION AND APPROVAL OF FINAL PLAT OF CYPRESSWOOD VILLAGE PHASE II SUBJECT TO, AND CONTINGENT ON, NECESSARY CHANGES TO THE DECLARATION OF CONDITIONS, COVENANTS, AND RESTRICTIONS, AND HOA DOCUMENTATION ACCEPTABLE TO THE DISTRICT'S GENERAL MANAGER AND DISTRICT'S ATTORNEY, AND AUTHORIZATION OF THE OFFICE MANAGER TO SIGN SAID PLAT, BY PERMISSION, FOR EACH DIRECTOR**

Mr. Scales made a motion to approve the Final Plat of Cypresswood Village Phase II subject to, and contingent on, necessary changes to the Declaration of Conditions, Covenants, and Restrictions, and HOA Documentation and Bylaws, acceptable to the District's General Manager and District's Attorney, and authorize the Office Manager to sign said Plat, by permission for each Director. Mr. Ancelot seconded the motion. Motion carried 5-0.

**CONSIDERATION AND AUTHORIZATION FOR DRAINAGE DISTRICT STAFF TO APPROVE THE DRAINAGE PLAN FOR EAGLE POINT PARKWAY & MEDICAL CENTER DRIVE (GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF INTERSTATE 10 AND HIGHWAY 62 IN ORANGE, TX), PREPARED BY DON KING, P.E. AND DATED OCTOBER 31, 2020, SUBJECT TO, AND CONTINGENT ON THE DISTRICT'S RECEIPT AND APPROVAL BY THE DISTRICT'S GENERAL MANAGER AND ATTORNEY OF ALL DOCUMENTS REQUIRED BY THE DISTRICT FROM THE CITY OF ORANGE AND/OR THE DEVELOPER REGARDING THE MAINTENANCE RESPONSIBILITIES OF ALL DRAINAGE FACILITIES WITHIN THE DEVELOPMENT**

Mr. Scales made a motion to authorize Drainage District Staff to approve the Drainage Plan for Eagle Point Parkway & Medical Center Drive (generally located Southeast of the Intersection of Interstate 10 and Highway 62 in Orange, TX), prepared by Don King, P.E. and dated October 31, 2020, subject to and contingent on the District's receipt and approval by the District's General Manager and Attorney of all documents required by the District from the City of Orange and/or the Developer regarding the Maintenance Responsibilities of all Drainage Facilities within the Development. Mr. Ancelot seconded the motion. Motion carried 5-0.

**CONSIDERATION AND APPROVAL OF MINOR PLAT OF 7.633 ACRES, THE RESIDUE OF A 9.627 ACRE TRACT INTO THE MARTIN ELMIRA ADDITION NO. 1, OUT OF THE RICHARD BALLEW SURVEY, ABSTRACT NO. 2, ORANGE COUNTY, TEXAS, AND AUTHORIZATION OF THE OFFICE MANAGER TO SIGN SAID PLAT, BY PERMISSION, FOR EACH DIRECTOR**

Mr. Covington made a motion to approve the Minor Plat of 7.633 Acres, the Residue of a 9.627 Acre Tract into the Martin Elmira Addition No. 1, out of the Richard Ballew Survey, Abstract No. 2, Orange County, Texas, and authorize the Office Manager to sign said Plat, by permission, for each Director. Mr. Scales seconded the motion. Motion carried 5-0.

**CONSIDERATION AND AUTHORIZATION FOR THE DISTRICT TO ENTER INTO AN AGREEMENT(S), IF AND WHEN RECEIVED, WITH NATURAL RESOURCES CONSERVATION SERVICE ("NRCS") FOR THE NRCS FUNDING OF THE ADAMS BAYOU DEBRIS REMOVAL PROJECT, COW BAYOU DEBRIS REMOVAL PROJECT, AND LITTLE CYPRESS BAYOU DEBRIS REMOVAL PROJECT AND FOR THE GENERAL MANAGER TO EXECUTE THE AGREEMENT(S) AND ANY AND ALL RELATED DOCUMENTS REQUIRED FOR THE FUNDING OF THESE PROJECTS BY THE NRCS**

Mr. Covington made a motion to authorize the District to enter into an Agreement(s), if and when received, with Natural Resources Conservation Service ("NRCS") for the NRCS Funding of the Adams Bayou Debris Removal Project, Cow Bayou Debris Removal Project, and Little Cypress Bayou Debris Removal Project and for the General Manager to execute the Agreement(s) and any and all related documents required for the funding of these projects by the NRCS. Mr. Ancelot seconded the motion. Motion carried 5-0.

**CONSIDERATION AND AUTHORIZATION FOR THE GENERAL MANAGER TO EXECUTE FORM(S) NRCS-ADS-78 (ASSURANCES RELATING TO REAL PROPERTY ACQUISITION) RELATING TO THE ADAMS BAYOU DEBRIS REMOVAL PROJECT, COW BAYOU DEBRIS REMOVAL PROJECT, AND LITTLE CYPRESS BAYOU DEBRIS REMOVAL PROJECT, IN THE EVENT THAT SUCH PROJECTS ARE FUNDED BY THE NRCS**

Mr. Ancelot made a motion approve the General Manager to execute Form(s) NRCS-AD-78 (Assurances Relating to Real Property Acquisition) relating to the Adams Bayou Debris Removal Project, Cow Bayou Debris Removal Project, and Little Cypress Bayou Debris Removal Project, in the event that such Projects are funded by the NRCS. Mr. Scales seconded the motion. Motion carried 5-0.

**CONSIDERATION AND AUTHORIZATION FOR STAFF TO ATTEND THE TCDRS CONFERENCE ON JULY 21-23, 2021 IN AUSTIN, TEXAS**

Mr. Covington made a motion to approve the Staff to attend the TCDRS Conference on July 21-23, 2021 in Austin, Texas. Mr. Scales seconded the motion. Motion carried 5-0.

**BOARD GOES INTO EXECUTIVE SESSION**

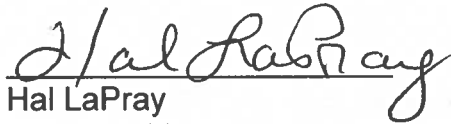
Time: 11:20 a.m. Mr. Covington made a motion to enter into Executive Session to consult with the District's attorney regarding legal matters (as authorized by Texas Government Code Section 551.071). Mr. Scales seconded the motion. Motion carried 5-0.

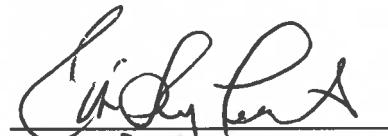
**RECONVENE IN OPEN SESSION**

The Board reconvened in open session at 11:54 a.m.

**BOARD ADJOURNS**

There being no further business to discuss, Mr. Ancelot made the motion to adjourn. Mr. Covington seconded the motion. Motion carried 5-0. The meeting adjourned at 11:55 a.m.

  
Hal LaPray  
Vice-President

  
Cindy Pent  
Recording Secretary