

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

**October 10, 2023**

The regular monthly meeting of the Board of Directors of the Orange County Drainage District was held on Tuesday, October 10, 2023, at 10:00 a.m. at the District Office located at 8081 Old Highway 90, Orange, Texas. A quorum of the Board of Directors was present for this meeting of the Board of Directors at the location set forth above.

**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 VIDEO CONFERENCE CALL:**

Brent Peveto	Director At-Large (joined the meeting at 10:25 a.m.)
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**OTHERS PRESENT:**

Neal Ford	General Manager
Douglas Manning	Assistant General Manager
Don Carona	Executive Manager of Special Projects
Andrea Fabacher	Recording Secretary
Martin Dies	Attorney
Keri Mitchuka	Accountant
Mickey Moshier	Insurance Consultant

**MEETING OPENED**

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

**APPROVAL OF MINUTES**

Mr. LaPray made a motion to dispense with the reading of and to approve the minutes of the September 6, 2023, special meeting and the September 12, 2023, regular meeting. Mr. Ancelot seconded the motion. Motion carried 4-0.

**VISITORS**

None

**RECOGNIZE ACCEPTANCE OF TEXPOOL SEPTEMBER 2023 REPORT**

No action was required.

**APPROVAL OF SEPTEMBER 2023 BILLS**

After review and discussion, Mr. Covington made a motion to approve the bills for September 2023. Mr. Ancelot seconded the motion. Motion carried 4-0.

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

Mr. Manning presented to the Board the District's quarterly investment report for the quarter ending September 30, 2023. No action was required.

**CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE DRAINAGE DISTRICT STAFF, WITH THE ADVICE, REVIEW AND APPROVAL OF LEGAL COUNSEL, TO NEGOTIATE AND EXECUTE AN INTERLOCAL AGREEMENT WITH THE CITY OF VIDOR, TEXAS, FOR THE DESIGN, CONSTRUCTION AND MAINTENANCE OF A STORMWATER DETENTION POND TO BE LOCATED ON PROPERTY OWNED BY THE ORANGE COUNTY DRAINAGE DISTRICT AND SITUATED ALONG TERRY GULLY NEAR LATERAL DITCH F-5, SOUTH OF THE CITY OF VIDOR, TEXAS**

Mr. Covington made a motion to authorize Drainage District Staff to execute an Interlocal Agreement with the City of Vidor, Texas, for the design, construction, and maintenance of a stormwater detention pond to be located on property owned by the Orange County Drainage District and situated along Terry Gully near Lateral Ditch F-5, south of the City of Vidor, Texas, subject to the prior advice, review, and approval of the District's Attorney. Mr. LaPray seconded the motion. Motion carried 4-0.

**CONSIDERATION AND POSSIBLE ACTION TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE SOURCEWELL SERVICING COOPERATIVE IN ACCORDANCE WITH CHAPTER 791 OF THE TEXAS GOVERNMENT CODE**

Mr. Ancelot made a motion to execute an Interlocal Agreement with the Sourcewell Servicing Cooperative in accordance with Chapter 791 of the Texas Government Code. Mr. LaPray seconded the motion. Motion carried 4-0.

**CONSIDERATION FOR POSSIBLE ACTION THE EXECUTION OF A RESOLUTION ENCOURAGING THE SOUTHEAST TEXAS REGIONAL PLANNING COMMISSION TO CONDUCT REGIONAL "AFFIRMATIVELY FURTHERING FAIR HOUSING PLANNING AND TRAINING" WITH SETRPC ACTING AS THE COMMUNITY DEVELOPMENT BLOCK GRANT – REGIONAL MITIGATION (CDBG-RMIT) PROGRAM ALLOCATING ORGANIZATION**

Mr. Ancelot made a motion to execute a resolution encouraging the Southeast Texas Regional Planning Commission to conduct regional "Affirmatively Furthering Fair Housing Planning and Training" with SETRPC acting as the Community Development Block Grant – Regional Mitigation (CDBG-RMIT) program allocating organization. Mr. LaPray seconded the motion. Motion carried 4-0.

**CONSIDERATION FOR POSSIBLE ACTION THE EXECUTION OF A RESOLUTION SETTING THE FEES OF OFFICE FOR THE BOARD OF DIRECTORS FOR THE ORANGE COUNTY DRAINAGE DISTRICT**

Mr. Covington made a motion to execute a resolution setting the fees of office at \$221 per day for a maximum of 60 days per year (\$1105.00 per month) for the Board of Directors for the Orange County Drainage District. Mr. LaPray seconded the motion. Motion carried 4-0.

**CONSIDERATION AND POSSIBLE ACTION TO REVISE PERSONNEL POLICY NO. 317 (DISCRETIONARY LEAVE) AND PERSONNEL POLICY NO. 318 (FMLA)**

Mr. LaPray made a motion to revise Personnel Policy No. 317 (Leave of Absence Without Pay) to provide, among other things, that the period of time for which the General Manager or Assistant General Manager may grant a leave of absence without pay, subject to reporting to the Board as stated in the current policy, is extended from a 90 consecutive days maximum time period to a 180 consecutive days maximum time period, and further concerning the period of time during which the District shall pay for the employee's COBRA health insurance premiums and a portion of the employee's dependents' COBRA health insurance coverage premiums while the employee is on leave of absence without pay pursuant to Policy No. 317. Mr. Ancelot seconded the motion. Motion carried 5-0. No action was taken regarding Personnel Policy No.318 (FMLA).

**DISCUSSION AND APPROVAL OF APPLICATION FOR PIPELINE OR UTILITY PERMIT SUBMITTED BY CHEVRON PHILLIPS CHEMICAL COMPANY LP FOR AN EFFLUENT WATER LINE TO BE LOCATED ALONG FOREMAN ROAD, ORANGE, TX**

Mr. Covington made a motion to approve the Application for a Pipeline or Utility Permit submitted by Chevron Phillips Chemical Company LP for an effluent water line to be located along Foreman Road, Orange, Texas. Mr. Ancelot seconded the motion. Motion carried 4-0.

**Mr. Peveto joined the meeting at 10:25 a.m.**

**CONSIDERATION AND AUTHORIZATION FOR DRAINAGE DISTRICT STAFF TO APPROVE THE DRAINAGE STUDY FOR THE DEBUSK LAYDOWN COMMERCIAL DEVELOPMENT PROJECT TO BE LOCATED AT 2920 TEXAS AVE, BRIDGE CITY, TEXAS, PREPARED BY SAMUEL PAUL FOUNTAIN, P.E., DATED OCTOBER 3, 2023**

Mr. LaPray made a motion to authorize Drainage District Staff to approve the Drainage Study for the Debusk Laydown commercial development project to be located at 2920 Texas Ave, Bridge City, Texas, prepared by Samuel Paul Fountain, P.E., dated October 3, 2023. Mr. Ancelot seconded the motion. Motion carried 5-0.

**CONSIDERATION AND AUTHORIZATION FOR DRAINAGE DISTRICT STAFF TO APPROVE THE DRAINAGE STUDY FOR THE DISCOUNT TIRE COMMERCIAL DEVELOPMENT PROJECT TO BE LOCATED AT IH-10 AND GLORIA DRIVE, ORANGE, TEXAS, PREPARED BY KEVIN B. POLASEK, P.E., DATED SEPTEMBER 28, 2023**

Mr. Ancelot made a motion to authorize Drainage District Staff to approve the Drainage Study for the Discount Tire commercial development project to be located at IH-10 and Gloria Drive, Orange, Texas, prepared by Kevin B. Polasek, P.E., dated September 28, 2023. Mr. Covington seconded the motion. Motion carried 5-0.

**CONSIDERATION AND AUTHORIZATION FOR DRAINAGE DISTRICT STAFF TO APPROVE THE DRAINAGE STUDY FOR THE ENTERGY ORANGE COUNTY ADVANCE POWER STATION PHASE 3 INDUSTRIAL DEVELOPMENT PROJECT TO BE LOCATED ON FM 1442, PORT ARTHUR, TEXAS, PREPARED BY VASUDEV PATEL, P.E, DATED JULY 5, 2023**

Mr. LaPray made a motion to authorize Drainage District Staff to approve the Drainage Study for the Entergy Orange County Advance Power Station Phase 3 industrial development project to be located on FM 1442, Port Arthur, Texas, prepared by Vasudev Patel, P.E, dated July 5, 2023. Mr. Ancelot seconded the motion. Motion carried 5-0.

**CONSIDERATION AND AUTHORIZATION FOR DRAINAGE DISTRICT STAFF TO APPROVE THE DRAINAGE STUDY FOR THE STUDIO 17 COMMERCIAL DEVELOPMENT PROJECT TO BE LOCATED AT 1700 ALLIE PAYNE ROAD, ORANGE, TEXAS, PREPARED BY BERNARDINO D. TRISTAN, P.E., DATED AUGUST 28, 2023**

Mr. Ancelot made a motion to authorize Drainage District Staff to approve the Drainage Study for the Studio 17 commercial development project to be located at 1700 Allie Payne Road, Orange, Texas, prepared by Bernardino D. Tristan, P.E., dated August 28, 2023. Mr. Covington seconded the motion. Motion carried 5-0.

**CONSIDERATION AND AUTHORIZATION FOR DRAINAGE DISTRICT STAFF TO APPROVE THE DRAINAGE STUDY FOR THE ENTERPRISE EXPORT FACILITY INDUSTRIAL DEVELOPMENT PROJECT TO BE LOCATED ON MANSFIELD FERRY ROAD, ORANGE, TEXAS, PREPARED BY GARRETT T. PUTMAN, P.E., DATED JULY 19, 2023**

Mr. Covington made a motion to authorize Drainage District Staff to approve the Drainage Study for the Enterprise Export Facility industrial development project to be located on Mansfield Ferry Road, Orange, Texas, prepared by Garrett T. Putman, P.E., dated July 19, 2023. Mr. LaPray seconded the motion. Motion carried 5-0.

**CLOSED MEETING, HELD PURSUANT TO TEX. GOV'T CODE §551.072 (DELIBERATIONS CONCERNING REAL PROPERTY AND, SUBSEQUENTLY, RETURN TO OPEN SESSION TO TAKE ANY ACTION BASED UPON DELIBERATIONS IN THE CLOSED MEETING**

Time 10:34 a.m. Mr. Covington made a motion to enter into executive session concerning real property and other matters pursuant to Texas Government Code Sections 551.071, 551.072, and 551.074. Mr. Ancelot seconded the motion. Motion carried 5-0.

**RECONVENE IN OPEN SESSION**

The Board reconvened in open session at 11:50 a.m.

Based on the discussion in the closed session regarding the valuation and potential purchase of property made the basis of the discussion in closed session (Tex. Gov't Code §551.072), Mr. Covington made a motion to authorize the District Staff to make an offer to purchase the property in question in accordance with the terms and conditions discussed in the closed session. Mr. Ancelot seconded the motion. Motion carried 5-0.

**BOARD ADJOURNS**

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



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James Scales  
Secretary



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Andrea Fabacher  
Recording Secretary