

**Minutes of the Regular Monthly Meeting
Of the Board of Directors of
Brazoria County Drainage District # 5
October 7, 2019**

Members Present: Lee Walden P.E., President
Kerry L. Osburn, Vice President
Mark Roller, Sectary/ Treasurer

Board Officials Present: Dan Chernosky, Superintendent
Melinda Bahr, Director of Admin. Services
Adam Eversole, Field Forman
Jarrod Aden, District Engineer
Joe Patterson, District Attorney

Others Present: Michael Cristopher- EHRA, Steve Sheldon-Dannenbaum, Tyler Brown-Dennenbaum, Thomas Grupe, Keven Stuckey, Hajarat Karediya, Aiyaz Karediya, and Ralph Smith.

*****Minutes were taken from CD disk *****

1. Call to Order, Invocation and Pledge of Allegiance

Commissioner Walden called the meeting to order at 6:30 P.M. A quorum was present. Commissioner Walden led the Pledge of Allegiance.

2. Recognition of Guest- Public Forum Comments

3. Approval of Minutes

A. Regular Monthly Meeting/ September 9, 2019

- Commissioner Roller moved to approve the minutes as presented to the Board.
- Commissioner Osburn seconded the motion with no further discussion the motion passed with a vote of 3 ayes and 0 nays.

4. Reports

A. Dan Chernosky Superintendent

- Mr. Chernosky stated Drainage District No. 4 has a used 2010 Grade all, Mr. Chernosky will take an operator to see if the District is interested in purchasing the grade all.
- Mr. Chernosky stated he has sent a certified letter to Mr. Leal to come to the office to discuss his sand pit operation.

B. Melinda Bahr, Director of Admin. Services

- No Report.

C. Adam Eversole, Field Forman

- Mr. Eversole stated the men are working at Garrett's Farm mowing, installing pipes at Donny Balanic's, clearing on South Hayes Creek CR 60 and CR 121, and installing pipes at Olsoaky Farms.

D. Jarrod Aden, District Engineer

- No Report.

E. Joe Patterson, District Attorney

- No Report.

F. Board Officials

1. Commissioner Osburn

- Commissioner Osburn asked if the pipeline matts would be replaced on Brunner Ditch? Mr. Chernosky stated the matts would be repaired when HWY 99 crossed Brunner Ditch.
- Mr. Patterson will contact Mr. Chernosky to get the information on the pipelines to have the matts replaced now.

2. Commissioner Walden

- No Report.

3. Commissioner Roller

- No Report.

5. Drainage Plans under review

Llarance Turner, R.P.L.S.

A. Poly-Coat Inc. Phase II/Plan/ Conditional or Final

- No Action taken; comments have been sent to project engineer.

B. Riverland Storage Facility-Lot 7 Phase 2 K190001/ Plan/ Conditional or Final

- Commissioner Roller moved to approve the final plan for Riverland Storage Facility-Lot 7 Phase 2.
- Commissioner Osburn seconded the motion with no further discussion the motion passed with a vote of 3 ayes and 0 nays.

C. Riverland C-Store K190012/ Plan/ Conditional or Final

- No Action taken.

D. Riverland Detention Pond K190001/ Plan/ Conditional or Final.

- No action taken.

Jarrold Aden P.E., CFM

A. Meridians Phase 6 B180016/ Plat/ Final

- Commissioner Roller moved to approve the final plat for Meridiana Phase 6.
- Commissioner Osburn seconded the motion with no further discussion the motion passed with a vote of 3 ayes and 0 nays.

B. Sierra vista Detention Phase IV B190017/ Plan/ Final

- Commissioner Roller moved to approve the final plan for Sierra Vista Detention Phase IV.
- Commissioner Osburn seconded the motion with no further discussion the motion passed with a vote of 3 ayes and 0 nays.

C. Sherman Estates/ Plan/ Conditional or Final

- No action taken.

6. Drainage Plans Final Construction Inspections.

Llarance Turner, R. P.L.S., Daune Whitehead P.E.

Jarrold Aden P.E., CFM

7. New Business

A. **Discussion, Consideration & Possible Action** – State of Texas v. GR-M1, LTD and DD#5.

- No Action.

- B. **Discussion, Consideration & Possible Action** – George Johnson/ Suncreek Estates
 - Mr. Johnson asked for help in replacing two pipes in Suncreek Estates.
 - Mr. Chernosky stated the District will size the pipes, order the pipes and invoice the Suncreek Estates Homeowners Association.
 - Commissioner Roller moved to acquire the pipe and invoice the Homeowners association for the cost of the pipes and the district will install the pipes.
 - Commissioner Osburn seconded the motion with no further discussion the motion passed with a vote of 3 ayes and 0 nays.
- C. **Discussion, Consideration & Possible Action** – Brazoria County/ Culvert sizing within District boundaries.
 - Commissioners agreed for the District superintendent to size the culvert for the County when the District ditch is also a road ditch.
- D. **Discussion, Consideration & Possible Action** – Annual Agreement of Assistance for fiscal year 2020, between Brazoria County Drainage District No. 5 and Brazoria County IB20-DD5.
 - Commissioner Roller moved to approve the annual agreement of assistance for the fiscal year 2020, between Brazoria County Drainage District No. 5 and Brazoria County.
 - Commissioner Osburn seconded the motion with no further discussion the motion passed with a vote of 3 ayes and 0 nays.
- E. **Discussion, Consideration & Possible Action** – Investment Policy/ Annual Review
 - Commissioner Roller moved to approve the Investment Policy annual review.
 - Commissioner Osburn seconded the motion with no further discussion the motion passed with a vote of 3 ayes and 0 nays.
- F. **Discussion, Consideration & Possible Action** – M2E3 LLC Pipeline approvals for crossing Ditch 105-05-01, Ditch 101-05-00 and Ditch 101-00-00.
 - Commissioner Roller moved to approve the M2E3 LLC Pipeline approvals for crossing Ditch 105-05-01, Ditch 101-05-00 and Ditch 101-00-00.
 - Commissioner Osburn seconded the motion with no further discussion the motion passed with a vote of 3 ayes and 0 nays.
- G. **Discussion, Consideration & Possible Action** – Mulching Head for excavator
 - No action taken.
- H. **Discussion, Consideration & Possible Action** –Ralph Smith/ Poly Coat Inc. Phase II
 - Commissioner Roller moved to allow dirt work to begin on Poly Coat Inc. Phase II.
 - Commissioner Osburn seconded the motion with no further discussion the motion passed with a vote of 3 ayes and 0 nays.

8. General Business

- A. Payment of Vouchers for September 2019.
 - Commissioner Roller moved to approve the vouchers for September 2019.
 - Commissioner Osburn seconded the motion, with no further discussion the motion passes with a vote of 2 ayes and 0 nays.

9. Executive Session: Reconvene in executive session as authorized by the Texas Open Meeting Act, Texas Environment Code, Chapter 55, specifically including Sections 551.071, 551.072, 551.074, and 551.076, as appropriate:

- A. Consultation with the District’s council, including matters of pending,

contemplated or threatened litigation.

- Commissioner Roller moved to appoint Jarrod Aden, P.E. as the District Engineer.
- Commissioner Osburn seconded the motion with no further discussion the motion passed with a vote of 3 ayes and 0 nays.
- Commissioner Roller moved to not have the District Engineer at District meetings unless needed.
- Commissioner Osburn seconded the motion with no further discussion the motion passed with a vote of 3 ayes and 0 nays.

10. Adjournment

- Commissioner Walden adjourned the meeting at 8:05 pm.

Approved:

Lee Walden/ President

Witnessed:

Mark Roller/ Secretary