

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

Members Present: Lee Walden P.E., President
Kerry L. Osburn, Vice President

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, Brain Morris, Patrick Miller, J. D. Brooks, Thomas Arnold

*****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/ July 1, 2019

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

B. Special Call meeting/ July 10, 2019

- Commissioner Osburn moved to approve the minutes as presented to the board.
- Commissioner Walden 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 new developments are coming in weekly.

B. Melinda Bahr, Director of Admin. Services

- Mrs. Bahr stated the City of Manvel is holding a meeting coordinated with County Judge Matt Sebesta, on August 15, 2019.
- Mrs. Bahr stated she has filed the Hazard Mitigation Plan with Natalie Johnson with the Texas Department of Pubic Safety. She will review the plan and let us know if she has any comments, the send it on to FEMA.
- Mrs. Bahr stated she attended a meeting with Texas Water Development Board. Mrs. Brooke Paup suggested to hold a meeting with Nancy Richards who is the District's Regional Representative.

C. Adam Eversole, Field Forman

- Mr. Eversole stated the men are working on Cypress Slough, Brunner Ditch, Austin Bayou and mowing.

D. Jarrod Aden, District Engineer

- No report.

E. Joe Patterson, District Attorney

- No report.

F. Board Officials

1. Commissioner Osburn

- No report.

2. Commissioner Walden
 - No report.

5. Drainage Plans under review

Llarance Turner, R.P.L.S.

- A. Alvin Tree Farm K1900011/ Plan/ Final
 - Commissioner Osburn moved to approve the final plan for the Alvin Tree Farm.
 - Commissioner Walden seconded the motion with no further discussion the motion passed with a vote of 2 ayes and 0 nays.
- B. Primrose Estates Section 1 Grading, Paving and Drainage Improvements K1900010/ Plan/ Final
 - Commissioner Osburn moved to approve the variance request for Pradera Oaks AKA "Bonney Tract" to deviate from modeling criteria.
 - Commissioner Walden seconded the motion with no further discussion the motion passed with a vote of 2 ayes and 0 nays.

Jarrold Aden P.E., CFM

- A. Sabor Power Company B190010/ Office Expansion/ Plan/ Conditional or Final
 - Commissioner Osburn moved to approve the final plan for the Sabor Power Company office expansion.
 - Commissioner Walden seconded the motion with no further discussion the motion passed with a vote of 2 ayes and 0 nays.
- B. Meridiana Parkway Bridge Phase V B190006/ Crossing Chocolate Bayou Drainage Plan/ Final
 - Commissioner Osburn moved to approve the final plan for Meridiana Parkway Bridge Phase V for crossing Chocolate Bayou Drainage plan.
 - Commissioner Walden seconded the motion with no further discussion the motion passed with a vote of 2 ayes and 0 nays.
- C. Meridiana Parkway Bridge Phase VI B190007/ Plan/ Conditional or Final
 - Commissioner Osburn moved to approve the final plan for Meridiana Parkway Bridge Phase VI.
 - Commissioner Walden seconded the motion with no further discussion the motion passed with a vote of 2 ayes and 0 nays.
- D. AISD High School 4 Draining to North Hayes Creek Drainage Impact Report and Plan B190015/ Final
 - Commissioner Osburn moved to approve final impact report and plan for the AISD High School 4 Draining to North Hayes Creek.
 - Commissioner Walden seconded the motion with no further discussion the motion passed with a vote of 2 ayes and 0 nays.
- E. CVS Sierra Vista B190014/Plan/ Final
 - Commissioner Osburn moved to approve the final plan for the CVS Sierra Vista.
 - Commissioner Walden seconded the motion with no further discussion the motion passed with a vote of 2 ayes and 0 nays.
- F. Mr. Wollam Barn house pad B190016 -Variance – Proposed amenity pond be considered with a runoff coefficient of 0.2./ Conditional or Final
 - Commissioner Osburn moved to approve the variance and plan for Mr. Wollam barn house pad.
 - Commissioner Walden seconded the motion with no further discussion the motion passed with a vote of 2 ayes and 0 nays.
- G. Sterling Lakes Drive B190018/ Plan/ Final
 - Commissioner Osburn moved to approve final plan of Sterling Lakes Drive.
 - Commissioner Walden seconded the motion with no further discussion the motion passed with a vote of 2 ayes and 0 nays.

6. Drainage Plans Final Construction Inspections.

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Jarrold Aden P.E., CFM

7. New Business

- A. **Discussion, Consideration & Possible Action** – State of Texas v. GR-M1, LTD and DD#5.
 - Mr. Patterson stated there is no development in the case.
- B. **Discussion, Consideration & Possible Action** –Sand pit ordinance added to Guidelines Rules

and Regulations and that all concentrated deposits of water stormwater or groundwater into a District drainage facility requires a permit from the District.

- Mr. Aden and Mr. Patterson will get the plan together for the Special call meeting on August 15th.
- C. **Discussion, Consideration & Possible Action** – To accept, approve and authorize the Budget amendments and Resolution 2019-01.
 - Commissioner Osburn moved to approve and authorize the Budget amendments and Resolution 2019-01.
 - Commissioner Walden seconded the motion, with no further discussion the motion passed with a vote of 2 ayes and 0 nays.
- D. **Discussion, Consideration & Possible Action** – Land Tejas – Plans for cleaning out North Hayes Creek along County Road 64 (From CR 48 to North Hayes Creek bridge).
 - Mike Christopher state he will have the cut grade from the North Hayes Creek Bridge to County Road 48, to the District by the end of the week.
 - Commissioner Walden asked for this to be placed on the August 15th agenda.
- E. **Discussion, Consideration & Possible Action** – Investment with Texas Class or Tex Pool.
 - Commissioner Osburn move to invest the District’s money in Texas Class.
 - Commissioner Walden seconded the motion, with no further discussion the motion passed with a vote of 2 ayes and 0 nays.

8. General Business

- A. Payment of Vouchers for July 2019.
 - Commissioner Osburn moved to approve the vouchers for July 2019.
 - Commissioner Walden 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.
 - No action.
- B. Personal
 - Commissioner Osburn moved to reinstate Saul Guajardo employment.
 - Commissioner Walden seconded the motion, with no further discussion the motion passed with a vote of 2 ayes and 0 nays.
 - Commissioner Osburn moved to accept Blake Bernshausen resignation.
 - Commissioner Walden seconded the motion, with no further discussion the motion passed with a vote of 2 ayes and 0 nays.

10. Adjournment

- Commissioner Walden adjourned the meeting at 8:00 pm.

Approved:

Lee Walden/ President

Witnessed:

Kerry Osburn/ Vice-President