

**Regular Meeting Minutes**

October 17, 2016– 5:30 pm

Orange County Water Control & Improvement District No. 1 Board Room  
460 E Bolivar Street, Vidor, Texas

Robert Viator.....President  
Frank Inzer.....Vice President  
Tim Beard.....Secretary  
Trey Haney.....Director  
Guy Groves.....Director  
Norman Blackman.....General Manager  
David LeJune.....Operations Manager

*In accordance with Section 551.042 of the Texas Government Code, this agenda has been posted in the lobby and on the front door of the Orange County Water Control & Improvement District No. 1 Administrative office for the time required by law. The President requests that all cell phones and pagers be turned off or set to vibrate.*

*Members of the audience are requested to step outside the Board Room to respond to a page or to conduct a phone conversation.*

*The O.C.W.C & I.D #1 Administrative office is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the General Manager's Office at 409.769.2669.*

**CALL TO ORDER**

President Robert Viator announced a quorum present and called the meeting to order at 5:30 p.m.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Vice President Frank Inzer offered the invocation and Secretary Tim Beard led in the Pledge of Allegiance and the Texas Pledge.

**MEMBERS PRESENT**

President Robert Viator, Vice President Frank Inzer, Secretary Tim Beard, Director Trey Haney, and Director Guy Groves were present.

**MEMBERS ABSENT**

None.

**STAFF PRESENT**

Norman Blackman, General Manager, Larry Hunter, Attorney, David LeJune, Operations Manager, and Chris Serres, Director of Finance and Office Administration.

## **OTHERS PRESENT**

Toby Davis and Jeff Scogin, LJA Engineering, Inc.; Cindy Shafer, Peggy Jackson, Rayford Ackley, J.D. Johnson, Gilbert Smith, Sherry Simon, Bruce Boomer, Donna Myers, and Mr. and Mrs. Elton Conn.

## **REGULAR MEETING**

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### 1. Citizen comments.

President Viator called for any comments from Citizens.

There were no comments.

### 2. Consideration and possible action regarding LJA Engineering, Inc. Monthly Status Report concerning ongoing District projects.

The monthly Engineering Status Report on ongoing projects was presented by Mr. Jeff Scogin. Mr. Scogin reported that, with the exception of the O&M Manual for the Wastewater Treatment Plant, there are no updates on these projects as those projects are closed out. The status of the O&M Manual for the Wastewater Treatment Plant remains the same as was reported last month. He then reported on Project 6560C – Surplus Funds Water Systems Improvements Projects – Contract 1 – Cast Iron Water Line Replacement Project, stating that the contractor has begun constructing the new water lines, adding that 1,020 LF of 6" water line has been constructed at the time of the pay estimated presented in a later line item for approval. He then reported on Contract No. 2 – Water Well Sites Improvements, stating that LJA Engineering, Inc. held a pre-bid meeting on September 29, 2016 and opened bids on Friday, October 14, 2016. He then informed the Board that there was an item on this agenda for the possible award of bids for this project.

Mr. Scogin then presented a report for Project 6560D – Surplus Funds Sanitary Sewer System Improvements Project – Contract No. 4 – Sanitary Sewer Lift Station Rehabilitation Project. He stated that the concentration for this Contract has been on Field Surveying, Drawing Site Plan and Plan Profiles.

Concluding his report with Project 6560E – Surplus Funds Sanitary Water and Sewer Service Extensions – Contract No. 3 – Water and Sanitary Sewer Service Extensions Project, Mr. Scogin reported that work has continued with additional field surveying and trying to get locates. He stated that getting locates has not been very successful and that locates are something we are going have to figure out. Mr. Scogin added that progress has been made regarding the plans and the survey data. He stated that the once the information is received from the locators, a determination will have to be made as to how it will affect the plans at that point.

President Viator called for any questions regarding the monthly status report as presented.

There were no questions.

A motion was made by Director Groves and was seconded by Vice President Inzer to accept monthly status report as presented. All Voted Aye.

3. Consideration and possible action regarding approval of LJA Engineering, Inc. monthly invoices for District projects as listed:

Invoice No. 201610311 in the amount of \$17,471.00 for 6560C – Surplus Funds Water System Improvements Project; Invoice No. 201610312 in the amount of \$4,738.00 for 6560D – Surplus Funds Sanitary Sewer System Improvements Project; Invoice No. 201610313 in the amount of \$8,954.00 for 6560E – Surplus Funds Water and Sewer Service Extensions Project; Invoice No. 201610314 in the amount of \$1,448.00 for General Services Project B877-6282 for a Grand Total of \$32,611.00.

A motion was made by Secretary Beard and was seconded by Vice President Inzer to approve payment of monthly invoices to LJA Engineering, Inc. as presented. All Voted Aye.

4. Consideration and possible action regarding approval of McInnis Construction, Inc. Monthly Estimate No. 1 in the amount of \$85,935.69 for Contract 1 – Water Line Replacement Project.

Jeff Scogin presented an overview of work performed as invoiced by McInnis Construction, Inc. on Estimate No. 1.

A motion was made by Director Groves and was seconded by Vice President Inzer to approve payment of Estimate No. 1 to McInnis Construction, Inc. in the amount of \$85,935.69. All Voted Aye.

5. Consideration and possible action regarding the approval of Anthony Bennett Consulting's Invoice #201600036 for TTHM Professional Consulting Services in the amount of \$156.25.

Norman Blackman, General Manager, gave an overview as to the invoice as presented by Anthony Bennett stating that

A motion was made by Vice President Inzer and was seconded by Director Groves to approve payment of Anthony Bennett Consulting's Invoice #201600036 for TTHM Professional Consulting Services in the amount of \$156.25. All Voted Aye.

6. Consideration and possible action regarding authorizing the District Manager to negotiate an agreement between Orange County Water Control & Improvement District No. 1 and the City of Vidor to collaborate on applying for a 2017/2018 Texas Community Development Block Grant for replacement of private sewer service lines.

Norman Blackman gave an overview of the 2017/2018 TxCDBG stating that this grant is the same as the 2016 Block Grant that the Board recently approved. He added that the District would have to contribute matching funds of \$55,000.00 and reminded the Board that applying for this grant money is in an effort to help reduce Inflow and Infiltration in the sewer system.

A motion was made by Secretary Beard and was seconded by Director Groves to authorize the District Manager to negotiate an agreement between Orange County Water Control and Improvement District No. 1 and the City of Vidor to collaborate on

applying for a 2017/2018 Texas Community Development Block Grant for replacement of private sewer service lines. All Voted Aye.

7. Consideration and possible action regarding authorizing the District Manager to negotiate an agreement between Orange County Water Control & Improvement District No. 1 and the City of Pine Forest to collaborate on applying for a 2017/218 Texas Community Development Block Grant for the extension of the District's water lines and wastewater collection system.

Norman stated that once again this is a similar type project with the exception of the City of Pine Forest will be supplying the matching block grant money. Mr. Blackman added that this grant is the same as the 2016 TxCDBG the Board recently approved.

A motion was made by Vice President Inzer, and was seconded by Secretary Beard to authorize the District Manager to negotiate an agreement between Orange County Water Control & Improvement District No. 1 and the City of Pine Forest to collaborate on apply for a 2017/2018 Texas Community Development Block Grant for the extension of the District's water lines and wastewater collection system. All Voted Aye.

8. Consideration and possible action regarding bid award for Project 6560C – Contract 2 – Water Well Sites 4, 5, & 7 Improvements to Brystar Contracting, Inc. for a total contract award of \$981,240.00.

Jeff Scogin, LJA Engineering, Inc., reported on bids received for Project 6560C – Water Well Sites 4, 5, & 7 Improvements. He reported that bids received were as follows: Brystar Contracting, \$981,240.00; Allco, \$998,775.00; and MK Construction, \$1,128,907.00. Mr. Scogin stated that, after reviewing the bids, it is the recommendation of LJA Engineering, Inc. to award the bid to Brystar Contracting. Norman Blackman asked about their bonding capacity. Jeff Scogin stated it was A or A+ rating with a stable outlook. Norman Blackman stated that, after award and before execution of the contract, Brystar will supply all required documentation. Vice President Inzer asked if Brystar was incorporated. Toby Davis, LJA Engineering, Inc., stated that Brystar is a partnership and that they have been in business since about 1993.

Norman Blackman also added that they recently did the line collapse on Cedar Lane where they had to completely dig up, raise, and replace the manhole. It was also mentioned that Brystar was the contractor that had repaired the collapse on Railroad Street.

A motion was made by Director Groves and was seconded by Secretary Beard to award the contract for Project 6560C – Water Well Sites 4, 5, & 7 Improvements to Brystar Contracting in the amount of \$981,240.00. All Voted Aye.

Norman asked about budget on the projects. Jeff Scogin stated that, on both projects, costs were over budget slightly. He then added that that not all of the contingency funds had been used.

9. Consideration and possible action regarding a proposal from LJA Engineering, Inc. for engineering services to develop a project to construct a treatment system for Total Trihalomethanes (TTHM) at Water Well No. 7 in the amount \$96,000.00.

President Viator informed the other Board Members that the engineering cost has been revised from \$96,000.00 to \$90,000.00 and this amendment was not reflected on the agenda item.

Norman Blackman stated that we are at very preliminary stages regarding the project and how the equipment will fit in at Well 7. He added that the numbers on the estimate are very conservative and that the cost estimate of \$718,000.00 is a pretty scary figure but \$81,118.00 of this cost is contingency funds. Mr. Blackman also added that, if things go well, the contingency funds will not have to be used.

Director Groves inquired as to the cost of Well #7.

Norman Blackman stated it was a little over a million and a half dollars.

Secretary Beard asked what was driving the need to approve this contract tonight?

Norman Blackman stated that the primary reason was to get an engineering contract secured so that work can continue on the project. He also stated that up until now, the engineers have been doing the work as directed by the District on a monthly basis under the General Services contract. This contract is needed to proceed with the design phase of the project. He stated that, at this point, only schematics and sketches have been worked up and that the project cannot move forward until we get the engineers released to move forward.

President Viator stated that the contract also includes the electrical engineering and inspections.

Secretary Beard asked if we were bound by numbers at this time.

President Viator stated that, if the Board votes favorably to approve the engineering contract, the District would be bound by this contract only.

Director Groves asked Norman Blackman if he felt comfortable with the contract.

Norman Blackman stated that he did.

Larry Hunter stated that the contractual statute of limitations is one year after completion of the project, four years for a breach of contract and two years for negligence.

Toby Davis stated it is the standard LJA Engineering contract.

Larry Hunter requested that the change from one to two years be made for contractual limitations in the contract.

A motion was made by Director Groves and was seconded by Vice President Inzer to accept the contract for engineering services contingent upon making the change from one year to two years after completion. All Voted Aye.

10. Board of Director and Staff recognition of Elton Conn's 40 Years of Service to Orange County Water Control & Improvement District No. 1.

A motion was made by Vice President Inzer and was seconded by Director Groves to recess the meeting at 6:00 p.m. to recognize Elton Conn for his 40 years of service to the District. All Voted Aye.

President Robert Viator recognized Elton Conn for his 40 years of service to Orange County Water Control & Improvement District No. 1 stating that he has always been a reliable and dependable worker.

Norman Blackman, General Manager, stated that Elton Conn is knowledgeable, full of information, basically our one man maintenance person for all the equipment. He added that Mr. Conn never speaks before thinking, is very hard-working, and never has a bad thing to say.

President Robert Viator and Norman Blackman presented Elton Conn with a plaque in appreciation of his 40 years of service.

President Robert Viator called the meeting back to order at 6:45 p.m.

11. Consideration and possible action regarding approval/amendments for the minutes of the October 17, 2016 Regular Board Meeting.

A motion was made by Director Groves and was seconded by Vice President Inzer to approve the minutes of the October 17, 2016 regular Board Meeting as presented. All Voted Aye.

12. Board Member comments.

There were no Board Member comments.

13. Consideration and possible action regarding the General Manager's monthly status and financial report.

Norman Blackman, General Manager, reported on on-going topics as follows:

**Trihalomethanes**

The District's Water Quality Consultant, Anthony Bennett, was successful in convincing the TCEQ that an Exception Request would not be necessary for this Trihalomethane Reduction Project and has received a letter from TCEQ stating verifying TCEQ's agreement that an Exception Request is not necessary as long as the District constructs the secondary disinfection tank of 10,000 gallons.

Our consulting engineer, LJA Engineering, Inc., has submitted an engineering contract for the required approval for the required work for design and construction management.

**City of Vidor 2015/2016 Block Grant**

The City of Vidor selected LJA Engineering, Inc. to provide engineering services and Traylor and Associates to provide the necessary grant administration services to implement the 2016 Grant Project. This project will provide for the repair and/or replacement of private service lines for low-to-moderate income families. The District's obligated funds for this project are \$55,000.00.

## City of Pine Forest 2015/2016 Block Grant

City of Pine Forest also selected LJA Engineering, Inc. for engineering services and Traylor and Associates Grant Administrators for the 2016 Block Grant. The City has also expressed an interest in pursuing 2017/2018 Grants.

Vice President Inzer asked about the matching funds for the grants regarding the City of Pine Forest.

Mr. Blackman responded that the City of Pine Forest is responsible for the matching grant funds.

Mr. Blackman concluded the Manager's Report and then asked Chris Serres to present the financial reports.

Chris Serres, Finance Director, reported on the financial statements, bank statements, special projects and major maintenance accounts, the budget comparison report, and interest earned report for the month of September, 2016.

In David LeJune's absence, Norman Blackman reported on the Operations Manager's field reports.


A motion was made by Secretary Beard and seconded by Director Groves to accept the General Manager's report, the financial reports, and the Field Reports as presented. All Voted Aye.


### 14. Consideration and possible action regarding payment of the District's monthly bills.

A motion was made by Director Groves and was seconded by Vice President Inzer that monthly bills be paid as presented. All Voted Aye.

### 15. Adjournment.

A motion was made by Vice President Inzer and was seconded by Secretary Beard to adjourn the meeting at 6:55 p.m. All Voted Aye.

  
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Robert Viator, President

  
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Tim Beard, Secretary