

BOARD OF DIRECTORS
MEETING MINUTES

Meeting Minutes

March 21, 2011– 5:30 pm

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

Robert Viator President
Billy Perkins Vice-President
Tim Beard Secretary
Percy Foreman Director
Guy Groves Director

Darlene Jackson General Manager
David LeJune Operations Manager

Others in attendance: Chris Serres, Larry Hunter, Toby Davis, Calvin Prosen, Stephanie Malkowsky, Derek Gruffagnino, and George Garza

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

Board President, Robert Viator, called the meeting to order at 5:34, with a quorum in attendance.

INVOCATION & PLEDGE OF ALLEGIANCE

Invocation was offered by Percy Foreman, and the pledges led by Guy Groves.

REGULAR AGENDA

1. Citizens comment
None
2. Consideration of approval/amendments to the minutes of the February 21, 2011 regular meeting.
President Viator called for a motion to approve or amend the minutes of the February 21, 2011 regular meeting.

A motion was made by Percy Foreman and seconded by Guy Groves to approve the minutes of the February 21, 2011 meeting as written.

All voted Aye.

3. Consideration of District Manager's monthly status and financial report.

Darlene Jackson, District Manager reported to the Board that, regarding daily operations and maintenance of the District, things have been uneventful. She then stated that discussions concerning the wastewater treatment plant construction and the progress of the test well for the new well would be presented by the engineers respectively for each project. Ms. Jackson then asked Chris Serres, Finance Director, to report on the District's finances.

Chris Serres, Finance Director, presented the monthly billing recap, the bank statement balances and the budget comparison report to the Board. She then asked for questions regarding any of the reports as presented.

There being no questions, Ms. Jackson then asked David LeJune, Operations Manager, to present the Field Report to the Board.

There being no further discussion regarding the District Manager's monthly status report, finance reports, and field report as presented, President Viator called for a motion on this matter.

A motion was made by Percy Foreman and was seconded by Tim Beard to accept the District Manager's monthly status reports as presented. (See Attached Reports)

All voted aye.

4. Consideration of Carroll & Blackman, Inc.'s monthly status report concerning ongoing District projects.

President Viator then called for an update regarding the Wastewater Treatment Plant project and other ongoing District projects.

Toby Davis, representative of Carroll & Blackman, Inc, gave a summary of the status of the construction progress of the wastewater treatment plant. He also presented the Board with a series of pictures which illustrated the progress of the construction. A brief discussion followed regarding the progress.

A motion was made by Tim Beard and seconded by Billy Perkins to accept Carroll & Blackman, Inc.'s status report as presented by Toby Davis. (See Attached Report)

All Voted Aye.

5. Consideration of Pay Request #4, from Allco, Ltd., in the amount of \$2,321,119.36, for TWDB No. 72129-SRF-3358-02.

Toby Davis then gave a synopsis of the invoice presented by Allco, Ltd. reiterating the progress of the construction at the wastewater treatment plant. Toby then reminded the Board that the invoiced amount is actually a two-month invoice as the invoice from last month was not presented in time for the last monthly Board meeting.

President Viator asked Mr. Davis if the engineers were satisfied with the construction progress and if they recommended payment of this invoice.

Mr. Davis responded that they were satisfied and did recommend payment.

A motion was made by Billy Perkins and was seconded by Mr. Groves to authorize payment of pay Estimate No. 4 in the amount of \$2,321,119.36.

All Voted Aye.

6. Consideration of approval of Carroll & Blackman, Inc.'s monthly invoices for District projects as listed:

Invoice #18471 for Wastewater Treatment plant in the amount of \$13,542.00; Invoice #18472 for Cloverleaf & Tiger Lake Lift Station/Force Main in the amount of \$22,250.00. For a total of \$35,792.00.

President Viator then called for a motion regarding payment of invoices as presented by Carroll & Blackman, Inc. for projects 6200A – Contract A - Wastewater Treatment Plant and 6200B – Contract B – Cloverleaf and Tiger Lake Lift Station/Force Main.

A motion was made by Percy Foreman and was seconded by Tim Beard to approve payment of the invoices as presented by Carroll & Blackman, Inc.

All Voted Aye.

7. Consideration of Arceneaux & Gates Consulting Engineers, Inc. monthly status report on Water well project.

President Viator then called for a status reported regarding the water well project.

Calvin Prosen, representative of Arceneaux & Gates Consulting Engineers, Inc., presented the monthly status report regarding the test hole(s) and test well(s) as well as the progress of the design phase of the water line extensions, water well & production facilities, and the elevated tank facilities. Mr. Prosen also updated the Board on the Hwy. 12 proposed well site regarding the construction of the access road to the back of the property and presented the Board with an alternative solution to the problems with the access road. (See Attached Reports)

A motion was made by Tim Beard and was seconded by Guy Groves to accept the statusreport from Arceneaux & Gates Consulting Engineers, Inc. as presented by Calvin Prosen.

All Voted Aye.

8. Consideration of termination of the Construction Contract with Simco Enterprises, Ltd. regarding the construction of an access road to the second test well site on Hwy 12 property, and payment of an agreed sum for construction of the completed driveway for partial performance of said contract, upon the execution of an agreement to terminate such contract, due to unforeseen complications with construction of the access roadway as specified in the bid documents.

A motion was made by Billy Perkins and was seconded by Tim Beard to authorize the termination of the construction contract with Simco Enterprises, LTD. and to approve payment to Simco Enterprises, LTD. in the amount of \$13,620.00 for expenses incurred on the Hwy. 12 proposed well site project.

All Voted Aye.

9. **Consideration of changing the location of the test well site on the Hwy 12 property and authorizing the request for sealed written competitive bids on uniform written specifications for the clearing, raising of the surface level with fill material, and construction of a proposed limestone driveway and turning pad for the revised test well site.**

A motion was made by Tim Beard and was seconded by Billy Perkins to authorize relocating the test well site to the front of the Hood property located on Hwy 12.

All Voted Aye.

10. **Consideration of Arceneaux & Gates Consulting Engineers, Inc. monthly invoices for District water well project as listed: Invoice #13120, in the amount of \$22,205.26.**

Mr. George Garza, reporter for the Vidorian, asked the Board of Directors why the contract with Simco Enterprises, LTD. was terminated and why the test well site had to be relocated from the back of the property to the front of the property. He stated that it seemed that the Board members and District personnel understood why these decisions were being made but that the reasons for these decisions had not been made clear to the members in the audience.

Larry Hunter, Attorney for the District, and Robert Viator, Board President, apologized to Mr. Garza and everyone in attendance and followed with an explanation as to the condition of the access road that was needed to place the test well at the back of the property. Conditions were not feasible to continue with the construction of the access road and thereby led to the decisions in question.

Tim Beard added that he wanted the District's gratitude be made know to the Simco Enterprises, LTD.

Calvin Prosen assured Mr. Beard that the message would be passed on to the contractor.

A motion was made by Percy Foreman and was seconded by Guy Groves to approve payment of invoices as presented by Arceneaux and Gates Consulting Engineers, Inc.

All Voted Aye.

11. **Consideration of establishing a District policy regarding acceptance of petitions to add land to the district, including time of year for consideration of such petitions, and payment of the expenses related to preparation and filing of such petitions and orders**

A motion was made by Percy Foreman and was seconded by Tim Beard to approve a District policy regarding the acceptance of petitions to add land to the District. (See Attached Policy)

All Voted Aye.

12. **Consideration of approval of payment of the District's monthly bills.**


A motion was made by Billy Perkins and seconded by Guy Groves to approve payment of the District's monthly invoices.

All Voted Aye

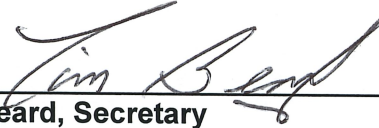
13. Adjournment.

A motion was made by Guy Groves and was seconded by Billy Perkins to adjourn the meeting at 7:47 p.m.

All Voted Aye.



Robert Viator, President



Tim Beard, Secretary