



MINUTES
as approved@
MARCH 18, 2013

Meeting Agenda

February 18, 2013– 5:30 pm

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

Robert ViatorPresident
Billy PerkinsVice-President
Tim BeardSecretary
Percy Foreman..... Director
Frank Inzer Director

Norman Blackman General Manager
David LeJune Operations Manager

Orange County Water Control Staff Present:

Karen SampsonOffice Manager
Chris Serres..... Financial Director

Others present: Larry Hunter, Provost Umphrey Law Firm; Phillip Hotzen, Toby Davis and Jeff Scogin, Carroll & Blackman Consulting Engineers, Inc.; Calvin Prosen, Arceneaux & Gates Consulting Engineers, Inc.; George Garza, Vidor Vidorian;

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

Robert Viator, Board President, called the meeting to order at 5:30 P.M., with a quorum present

INVOCATION & PLEDGE OF ALLEGIANCE

Invocation was offered by Frank Inzer and pledges led by Billy Perkins.

CITIZEN COMMENTS

No citizens present

1. Consideration of approval/amendments to the minutes of the January 15, 2013 regular meeting.

Mr. Viator read the agenda item and called for a motion.

A motion was made by Tim Beard and seconded by Percy Foreman to approve the minutes of the January 15, 2013 regular meeting, as presented. All voted aye.

2. Consideration of General Manager's monthly status and financial report.

Norman Blackman reported to the board that the District was in "pretty good shape". We are making progress on all our projects, I personally am getting more feel more and more comfortable every day, "I'll say again like I did last time, you have some great people here". It makes it so much easier to transition in. We have people with ideas and things they would like to see done, and improvements. I feel really good about the whole transition. Mr. Blackman stated the District had good people in place and has made the transition easy. Mr. Blackman presented the financial reports, in Chris Serres absence. Mr. Blackman stated the reports show a health cash flow and collection. The budget comparison shows we are staying on budget. We are seven months into the budget and well within the monthly allocations. Mr. Blackman went on to present the bank account interest earned report. During the presentation Percy Foreman asked if there could be a column added to show in which bank the accounts are held. Karen Sampson informed the Board all the accounts are in Orange Savings Bank, except the escrow accounts, which are being held at the Bank of Texas. Mr. Blackman asked for any further questions. There were none, so the floor was yielded to David LeJune to present the field and LPSS reports. While explaining the percentage unaccounted for column on the field report, he was questioned on the low percentage, Norman stated "excellent maintenance work", to which Mr. LeJune said, "yea, we're doing a good job. There was also a large amount of wastewater treated, due to excessive rains. Mr. Blackman stated that the District has been vigilant on trying to make sure that the same LPSS units are not having issues of the addresses showing on the report. Robert Viator stated he was glad to see that had been addressed.

Mr. Viator called for any further questions, no questions were made. Mr. Viator called for a motion.

A motion was made by Percy Foreman and seconded by Billy Perkins. All voted aye. See attachment.

3. Consideration of payment of the District's monthly bills.

Tim Beard asked of Norman if there was anything out of the ordinary on the bills. Norman answered no. Percy Foreman questioned why there was over 500 thousand paid out this month. Mr. Blackman explained that included engineering and construction invoices. Mr. Foreman asked what we kept in the two storage units, we answered that permanent and semi permanent files were kept there.

Mr. Viator read the item and asked for questions, no questions were made. He then called for a motion.

A motion was made by Billy Perkins and seconded by Frank Inzer. All voted aye. See attachment.

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

Phillip Hotzen presented photos of construction progress to the board. Mr. Hotzen stated the Wastewater treatment plant invoice from Allco was lower than normal, due to excessive rains. Mr. Blackman stated that we are closer to an opening, but the rain was hampering progress. He is still hopeful of an April opening.

Project B report

Jeff Scogin presented a report on the Cloverleaf & Tiger Lake Lift Stations and Force Mains. Current work being done is on the Cloverleaf Force Main. Mr. Scogin handed out a status map for Contract B. He went on to report that 1632 foot of force main had been lain on South DeWitt Road and Dogwood Drive last month. The contractors had quite an ordeal trying to dislodge the boring head stuck under Dogwood. They eventually abandoned the pipe and instead, did a directional bore. This caused Dogwood Drive to be closed for a longer period than anticipated. The additional work done at this site was all done at the contractor's expense. Frank Inzer suggested that the contractor may still have some repair work on the cut made on Dogwood Drive. Mr. Inzer stated that there is a definite unevenness at the site. Norman stated that he had been to the site and had instructed the inspector on the project to have the City of Vidor's road superintendent approve the road. Mr. Blackman stated that it would have to be looked at, once the vehicles had driven over the road for some time. Mr. Blackman stated that there is a warranty on the construction even after completion of the entire project, and we are far from the end. Mr. Blackman stated the District would be vigilant on inspecting the road bore to check for problems.

Frank Inzer questioned what decided the bore depth under the railroad. Toby Davis informed the Board that the Railroad had minimum requirements on the bore depths. Mr. Viator asked why it was being dry bored. Mr. Davis stated a dry bore was required by the railroad. The reasoning is that mud or water in the bore has more potential for damage to the tracks. Mr. Inzer asked if the depth was to insure getting below the existing sewer line and fiber optics lines. Mr. Davis stated that the Railroad had certain criteria for the contractors to meet. The drainage ditches beside the railroad are the approximate depth of the bore.

Project C report

Jeff Scogin presented a report on the Rehab of sewer lines. The engineers are completing plans sheets and design on the Rehab. They have met with District personnel to have their input on existing lines. The engineers will be meeting with TXDOT to discuss the sewer line under Hwy 105, to obtain their direction on the best option for rehab of sewer lines under the pavement. Toby Davis stated that it would be March before the designs are complete. When they are complete the plans and designs will be presented to Texas Water Development Board (TWDB). TWDB will have to approve those plans before we can advertise for bids.

Phillip Hotzen presented a report on the ground storage tank at Well #4. Mr. Hotzen informed the Board that the new tank is online and operating. The contractor has a few items to complete at the site, those include demolish the old tank, complete the overflow box on the new tank and do the cleanup.

Norman Blackman informed the Board that David Lejune had a good bit of contact with the contractors during the disinfection of the tank and when the tank was put online. David commented that all that went smoothly. Norman asked if all the leaks had been addressed and resolved. David assured the Board all of the leaks were repaired. Norman commented that all bolted tanks leaked at the beginning, while being filled. The remedy for this is to tighten all the bolts until they are all leak free. Norman Blackman asked the board to consider changing the scope of the project. He stated that he and David LeJune would like to keep the foundation of the old tank intact. He cited the future construction of a second tank on the Well 4 site. He & David feel that all well sites should have dual tanks. The premise is that you would always have a tank in service when the other tank has to be repaired or taken out of service for maintenance. The ring and foundation are not unsightly and stand about 1 foot above ground. The contract will have to be altered by a small amount of money back to the District.

The new well will have a spot for a second tank. Larry stated that if in the future we decided we did not need the foundation the District could demolish it if necessary.

Mr. Viator read the item and asked the Board if there were any questions. No questions were asked. He called for a motion.

A motion was made by Billy Perkins and seconded by Frank Inzer. All voted aye. See attachment.

5. Consideration of approval of Carroll and Blackman, Inc., monthly invoices for District projects as listed:

Invoice # 19693 for Project #6450 OCWC Well Site #4 GST in the amount of \$1,817.00; Invoice #19695 for Contract A – Wastewater Treatment Plant in the amount of \$4,514.00; Invoice #19696 for Contract B – Cloverleaf and Tiger Lake Lift Station/Force Main in the amount of \$18,505.00; Invoice #19697 – Contract C – Sanitary Sewer Collection System Rehabilitation in the amount of \$35,000.00; for a Grand Total of \$59,836.00.

Mr. Blackman informed the Board that these are lump sum projects and the contractors are making periodic draws. The engineers and the District employees are monitoring so the contractors “don’t get ahead of themselves”. Mr. Blackman was satisfied with the invoicing as presented by Carroll & Blackman, Inc.

Mr. Viator read the item and asked the Board if there were any questions. No questions were asked. He called for a motion.

A motion was made by Frank Inzer and seconded by Percy Foreman. All voted aye. See attachment.

6. Consideration of request for payment for Estimate #27 from Allco, Ltd., in the amount of \$79,756.24 for Construction Contract TWDB No. 72129-SRF-3358-02 – Wastewater Treatment Plant.

Mr. Hotzen stated the all things on the invoice were current and complete. Mr. Hotzen predicts another few months on construction. He recommends payment. Mr. Viator read the item and asked the Board if there were any questions. No questions were asked. He called for a motion.

A motion was made by Tim Beard and seconded by Frank Inzer. All voted aye. See attachment.

7. Consideration of request for payment for Estimate #4 from Allco, Ltd., in the amount of \$93,160.87, for Construction Contract TWDB No. 72129-SRF-3358-02 – Contract B - Cloverleaf & Tiger Lake Lift Stations and Force Mains.

Mr. Scogin stated the work reflected in the invoice had been completed and he recommends payment of invoice. Mr. Viator read the item and asked the Board is they had any questions. No one had questions.

A motion was made by Frank Inzer and seconded by Percy Foreman. All voted aye. See attachment.

8. Consideration of request for payment for Estimate # 4 from Placo, Ltd., in the amount of 14,228.59, for Water Well #4 – Ground Storage tank Rehabilitation Project.

Mr. Hotzen stated that the invoice reflected work completed and the project is near total completion. He recommends payment of invoice. Mr. Viator read the item and asked the Board is they had any questions. No one had questions.

A motion was made by Percy Foreman and seconded by Frank Inzer. All voted aye. See attachment.

9. Consideration of Arceneaux & Gates Consulting Engineers, Inc. monthly status Report on water well project
Calvin Prosen started his presentation with "Welcome back Mr. President". He then gave the monthly status report. Mr. Prosen stated that the contracts on the Water well and Overhead Storage Tank projects were back to the contractors. The District, engineers and the contractor for the Water well project will have a preconstruction meeting on Tuesday the 26th of February. There are some issues to be discussed regarding the elevated storage tank. This will be addressed later in the meeting. After the discussion, we can move forward on this project. We are working on the design phase of distribution lines from Well #7 to Well #5. We have met with District employees and addressed the items needing correction. We will be sending the

designs to TCEQ and ask for an expedited review. Asking does not mean that TCEQ will comply with our request. The distribution line project, from Well #4 to Well #5, is taking more time due to wet conditions. The contractors are hoping to complete the lines within the next 2 to 3 weeks. The contractors are testing the completed water lines. Contractors still have to complete the pipeline bores. Mr. Viator voiced concerned about the unsightly silt fences. Mr. Prosen assured the Board he would have the contractor stake those fences. At the end of the project the contractor will remove all the silt fences and dress and seed all the install areas. Mr. Prosen is hopeful to have final inspection before the next Board meeting. Mr. Prosen asked if there were any further questions. With no questions asked, Mr. Viator called for a motion.

A motion was made by Tim Beard and seconded by Percy Foreman. All voted aye. See attachment.

10. Consideration of Arceneaux & Gates Consulting Engineers, Inc. monthly invoices: Invoice #13782, in the amount of \$15,650.00.

Mr. Blackman stated that these are lump sum contracts this is a progress type billing.

Mr. Viator read the item and asked for a motion.

Percy Foreman made a motion and seconded by Tim Beard. All voted aye. See attachment.

11. Consideration of request for payment for Estimate #5 from Placo, Ltd., in the amount of \$68,625.80, for Water Line Extension, OCW-010, Contract 4.

Mr. Prosen went over the invoice and asked for questions from the Board.

Mr. Viator had some questions as to how the contractor arrived at the invoice amount. Mr. Prosen and Mr. Blackman explained the invoice.

With no further questions asked, Mr. Viator read the item and asked for a motion.

A motion was made by Billy Perkins and seconded by Frank Inzer. All voted aye. See attachment.

12. Consideration of adding and/or deleting certain features to the design of the 500,000 gallon elevated water storage tank, Contract 3 – 500,000 Gallon Elevated Water Storage Tank-Job OCW-010, by Landmark Structures, Inc, at varying additive or deductive dollar amounts, and to approve the development of a change order to implement any design revisions adopted.

Mr. Viator read the item.

Mr. Blackman has recommendations to the Board to approve option 1 regarding the height of the proposed Overhead Storage tank. It is to our advantage to have all the

water heights the same at all overhead tanks. The proposal is to add 5' in height at a cost of \$17,580.00.

Mr. Blackman's second recommendation to the Board is to approve option 8 regarding the head range. The contractor is asking for this change and is willing to deduct 3,050.00.

Mr. Blackman's recommendation is for the Board to approve Option 1 at the maximum of \$17,580.00 and to approve Option 8 at a minimum of \$3,050.00.

Mr. Viator asked if there are any further questions. No questions were asked. He asked for a motion.

A motion was made by Tim Beard to approve option 1 at a cost of no more than \$17,580.00 and to approve option 8 at a cost not less than \$3,050.00, and to negotiate from that standpoint, seconded by Frank Inzer. All voted aye. See attachment.

A motion was made by Billy Perkins and seconded by Percy Foreman to table options 2, 3 4, 5, 6 and 7 to a future meeting.

13. Consideration of inception date for collection of property taxes at 1071 North Street, Vidor, TX, Texas Star RV Park, owned by Glen Vaglica.

Mr. Viator read the item.

Larry Hunter explained to the Board that the District owned the land prior to Mr. Vaglica. Mr. Hunter had him execute a petition to add the land into the District. Mr. Hunter filed the petition in December of 2008. The Appraisal District did not bill him for taxes, until 2012. The Appraisal District billed him taxes for 2009, 2010, 2011 and 2012. Mr. Hunter recommended that we authorize Mr. Blackman to write a letter to the Appraisal District directing them to use January 1, 2012 as the inception date for Mr. Vaglica's taxes.

A motion was made by Percy Foreman to authorize Mr. Blackman to write a letter to the Appraisal District directing them to use January 1, 2012 as the inception date for Mr. Vaglica's property taxes and seconded by Frank Inzer. All voted aye.

14. Consideration, approval and execution of a 2013 Amended and Restated Information and Designation of Boundaries of Orange County Water Control and Improvement District No. 1 document with accompanying map or plat for recording with the Orange County Clerk, as provided by Section 49.455 of the Texas Water Code.

Mr. Viator read the item.

Larry Hunter informed the Board that we have to keep the public advised of our District boundaries for taxing purposes. This is a document sets forth the boundaries

as last we knew them plus the tracts added since then. All the petitioned land will be included in the new map. The description will be filed with the County Clerk's office. Quite a long discussion ensued, regarding an item from our September 17, 2012 meeting. This item addressed property owners on Kenwood Street. These citizens were seeking to be de-annexed citing the requirement to pay property taxes, but were not supplied with any water or sewer services by the District. There is some question of the exact boundary line. This issue is being researched and will possibly require some surveying to take place, before a definite answer is reached. Mr. Hunter recommends the Board to table the item.

A motion by Billy Perkins to table the item, seconded by Frank Inzer. All voted aye

15. Adjournment

A motion was made by Billy Perkins and seconded by Tim Beard to adjourn the meeting. All voted aye. Meeting adjourned at 7:25 P.M.



Robert Viator, President



Tim Beard, Secretary