



## Meeting Minutes

February 17, 2014– 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  
Frank Inzer..... Director

Norman Blackman .....General Manager  
David LeJune-absent..... Operations Manager  
Karen Sampson..... Office Manager  
Chris Serres.....Financial Director

Others present: Larry Hunter, Provost Umphrey Law Firm; Jeff Scogin & Rick Masters, Carroll & Blackman Consulting Engineers, Inc.; Calvin Prosen Arceneaux & Gates Consulting Engineers, Inc.; Terry Johnson, T Johnson Construction, LLC; Robert Viator, Jr., Citizen

*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

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 Tim Beard and the Pledges led by Billy Perkins.

### MEETING AGENDA

1. Citizen comments.  
No citizens commented.
2. Consideration and possible action regarding Carroll & Blackman, Inc.'s Monthly Status Report concerning ongoing District projects.

Mr. Viator read the agenda item.

Mr. Scogin presented the maps and pictures pertaining to the reports regarding ongoing projects. Mr. Scogin reported on Contract B. The IH 10 bore and the Kinder Morgan R.O.W. are the only portions of the Force Main project that are not completed. Mr. Scogin reported on Contract C. The contractors are working North of IH 10 and Main Street rehab will be the last to be completed.

Mr. Viator asked if there were any further questions, if not he would entertain a motion.

A motion by Mr. Foreman and seconded by Mr. Inzer to approve Carroll & Blackman, Inc.'s Monthly Status Report concerning ongoing District projects, as presented. Motion carried. See attachments.

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

Invoice #20479 for Contract B – Cloverleaf and Tiger Lake Lift Station/Force Main in the amount of \$5,730.00; Invoice #20480 – Contract C – Sanitary Sewer Collection System Rehabilitation in the amount of \$26,148.00; Invoice #20481 for general services regarding IH 10 Crossing traffic Control Plan in the amount of \$4,126.92; for a Grand Total of **\$36,004.92**.

Mr. Viator read the agenda item, and asked the Board to combine Items 3, 4, 5 and 6 in one motion.

Mr. Scogin presented the invoices.

Mr. Viator asked the Board to combine Items 3, 4, 5 and 6, if there were no objections. He read all the agenda items to be included in the motion.

Mr. Viator asked if there were any further questions, if not he would entertain a motion.

A motion was made by Mr. Foreman and seconded by Mr. Inzer to approve payment of Agenda items 3, 4, 5 & 6 as presented. Motion carried. See attachments.

4. Consideration and possible action regarding the request for payment on Estimate #40 from Allco, Ltd., in the amount of \$8,250.00 for Construction Contract TWDB No. 72129-SRF-3358-02 – Contract A Wastewater Treatment Plant.

Mr. Viator read the agenda item.

Mr. Viator asked if there were any further questions, if not he would entertain a motion.

A motion was made by Mr. Foreman and seconded by Mr. Inzer to approve payment of Agenda items 3, 4, 5 & 6 as presented. Motion carried. See attachments.

5. Consideration and possible action regarding the request for payment on Estimate #16 from Allco, Ltd., in the amount of \$137,635.32 for Construction Contract TWDB No. 72129-SRF-3358-02 – Contract B - Cloverleaf & Tiger Lake Lift Stations and Force Mains.

Mr. Viator read the agenda item.

Mr. Viator asked if there were any further questions, if not he would entertain a motion.

A motion was made by Mr. Foreman and seconded by Mr. Inzer to approve payment of Agenda items 3, 4, 5 & 6 as presented. Motion carried. See attachments.

6. Consideration and possible action regarding the request for payment on Estimate #5 from T. Construction LLC., in the amount of \$377,711.94 for Construction Contract TWDB No. 72129-SRF-3358-02 – Contract C – Sanitary Sewer Rehabilitation Project.

Mr. Viator read the agenda item.

Mr. Viator asked if there were any further questions, if not he would entertain a motion.

A motion was made by Mr. Foreman and seconded by Mr. Inzer to approve payment of Agenda items 3, 4, 5 & 6 as presented. Motion carried. See attachments.

7. Consideration and possible action regarding approval of revised District Boundary Map and Legal Description to reflect the acceptance of three additional tracts of land into the District during the 2013 calendar year.

Mr. Viator read the agenda item.

Mr. Blackman presented a copy of the revised District boundary map. He pointed out that the water wells, overhead storage tanks and treatment plant sites were added to the map, to help in referencing locations.

Mr. Viator asked if there were any further questions, if not he would entertain a motion.

A motion was made by Mr. Beard and seconded by Mr. Inzer to table this item. Motion carried.

8. Consideration and possible action regarding authorizing the development of a Geographical Information System (GIS) for the District through the cooperation of a GIS consultant with District personnel, and to authorize Carroll & Blackman, Inc (CBI) to serve as the GIS consultant through the District's existing General Service Agreement with CBI at an estimated cost of approximately \$30,000.

Mr. Viator read the agenda item.

Mr. Viator asked about the annual maintenance fees associated with the GIS. Rick Masters stated that the ESRI fees are \$400 per year, per license. Above that cost any further investment into the GIS would be at the discretion of the Board and the District.

Norman Blackman stated that the District fully expects to get a fully functional GIS system with the current cost estimate. If the District decides in the future to add other capabilities to the existing GIS, those things would be added at an additional cost. Mr. Prosen asked to add information for the Board to consider. He advised that when bidding future construction the District add a requirement for GIS information.

Mr. Viator asked if there were any further questions, if not he would entertain a motion.

A motion was made by Mr. Beard and seconded by Mr. Inzer to approve authorizing the development of a Geographical Information System (GIS) for the District through the cooperation of a GIS consultant with District personnel, and to authorize Carroll & Blackman, Inc (CBI) to serve as the GIS consultant through the District's existing General Service Agreement with CBI at an estimated cost of approximately \$30,000. Motion carried. See attachments

9. Consideration and possible action regarding Arceneaux & Gates Consulting Engineers, Inc. Monthly Status Report on Water Well, Elevated Tank, and Transmission Lines Projects.

Mr. Viator read the agenda item.

Mr. Prosen presented the report, with progress pictures. The well project will be completed in April. The storage tank will be filling with water in the next three weeks.

Mr. Viator asked if there were any further questions, if not he would entertain a motion.

A motion was made by Mr. Inzer and seconded by Mr. Foreman to approve Arceneaux & Gates Consulting Engineers, Inc. Monthly Status Report on Water Well, Elevated Tank, and Transmission Lines Projects, as presented. Motion carried. See attachment.

10. Consideration and possible action regarding Arceneaux & Gates Consulting Engineers, Inc. monthly invoices: Invoice # 14204 in the amount of \$14,280.00 for Water Well #7 Project.

Mr. Viator read the agenda item.

Mr. Viator asked if the Board would consider items 10 and 11 in one motion.

Mr. Viator asked if there were any further questions, if not he would entertain a motion.

A motion was made by Mr. Perkins and seconded by Mr. Beard to approve Arceneaux & Gates Consulting Engineers, Inc. monthly invoices: Invoice # 14204 in

the amount of \$14,280.00 for Water Well #7 Project and Consideration and possible action regarding the request for payment of Estimate #10 for Contract No. 2 - Water Well #7 in the amount of \$49,221.31, to T. Johnson Industries, Inc. Motion carried. See attachments.

11. Consideration and possible action regarding the request for payment of Estimate #10 for Contract No. 2 - Water Well #7 in the amount of \$49,221.31, to T. Johnson Industries, Inc.

See Agenda item 10.

12. Consideration and possible action regarding approval of Change Order No. 02 to OCW-012 - Contract #2, Water Well No. 7 Production Facilities Project for the addition of steel piping supports above ground and concrete foundation pads below ground to provide enhanced support for the high service pumps and suction and discharge piping headers, in the amount of \$13,916.79.

Mr. Viator read the agenda item.

Mr. Viator asked Mr. Prosen if he felt confident that this would correct the problem.

Mr. Prosen stated he was confident, and Mr. Johnson informed the Board that every facet of the project would be warranted for a year. Mr. Blackman presented illustrations to the Board regarding the proposed changes.

Mr. Viator asked if there were any further questions, if not he would entertain a motion.

A motion was made by Mr. Inzer and seconded by Mr. Foreman to approve the Change Order No. 02 to OCW-012 - Contract #2, Water Well No. 7 Production Facilities Project for the addition of steel piping supports above ground and concrete foundation pads below ground to provide enhanced support for the high service pumps and suction and discharge piping headers, in the amount of \$13,916.79, as presented. Motion carried. See attachment.

13. Consideration and possible action regarding the request for payment of Estimate #7 for Contract No. 3 - 500,000 gallon Elevated Storage Tank in the amount of \$26,100.00 to Landmark Structures LLP.

Mr. Viator read the agenda item.

Mr. Viator asked if there were any further questions, if not he would entertain a motion.

A motion by Mr. Beard and seconded by Mr. Inzer to approve payment of Estimate #7 for Contract No. 3 - 500,000 gallon Elevated Storage Tank in the amount of \$26,100.00 to Landmark Structures LLP, as presented. Motion carried. See attachment.

14. Consideration and possible action regarding approval and/or confirmation of revision of previous approval for Change Order No. 1 to OCW-012 Contract #3, the 500,000 Gallon Elevated Storage Tank Project providing for an increase in tank height, an

increase in tank head range, a decrease in piping size from 16" to 12" for yard and elevated tank piping, and the addition of District name to be painted on tank in, the amount of \$1,871.00, in lieu of the amount of \$14,530.00 approved on February 18, 2013.

Mr. Viator read the agenda item.

Mr. Viator asked if there were any further questions, if not he would entertain a motion.

A motion was made by Mr. Beard and seconded by Mr. Perkins to approve the revision of previous approval for Change Order No. 1 to OCW-012 Contract #3, the 500,000 Gallon Elevated Storage Tank Project providing for an increase in tank height, an increase in tank head range, a decrease in piping size from 16" to 12" for yard and elevated tank piping, and the addition of District name to be painted on tank in, the amount of \$1,871.00, in lieu of the amount of \$14,530.00 approved on February 18, 2013, as presented. Motion carried. See attachment.

15. Consideration and possible action regarding the request for payment of Estimate No.5 for Contract No. 5 –Water Line Extension (FM 1132/Hwy 12) in the amount of \$16,354.92 to McInnis Construction.

Mr. Viator read the agenda item.

Mr. Viator asked if there were any further questions, if not he would entertain a motion.

A motion was made by Mr. Foreman and seconded by Mr. Inzer to approve request for payment of Estimate No.5 for Contract No. 5 –Water Line Extension (FM 1132/Hwy 12) in the amount of \$16,354.92 to McInnis Construction, as presented. Motion carried. See attachment.

16. Consideration and possible action regarding suspending contract time on Contract 5 Water Line Extension (FM 1132/Hwy 12) to allow for resolution of problems with crossing of the Citgo and Targa pipelines along the route of the new 16" water transmission line.

Mr. Viator read the agenda item.

Mr. Blackman presented this item

Mr. Viator asked if there were any further questions, if not he would entertain a motion.

A motion was made by Mr. Inzer and seconded by Mr. Foreman to approve suspending contract time, as of January 21, 2014, on Contract 5 Water Line Extension (FM 1132/Hwy 12) to allow for resolution of problems with crossing of the Citgo and Targa pipelines along the route of the new 16" water transmission line,

motion includes the stipulation, that the contractor has 21 days to resume the project after notification from the District. Motion carried. See attachment.

17. Consideration and possible action regarding acquisition of two easements from private land owners for re-routing of the 16" Water Transmission line currently under construction due to problems with crossing two petroleum pipelines in the Hwy 12 R.O.W. near the intersection with Burt Street.

Mr. Viator read the agenda item.

Mr. Blackman stated he had approached the proposed owner of the property on Burt Street, and he has verbally agreed to a \$2,000 payment, for the proposed easement. He has not formally approached the Hwy 12 property owner, but he was considering offering a \$500 payment for the very small easement required to cross her property. The money saved on the project by changing the water line route will be substantial. The money spent on easements and legal fees will be a small price to pay for the overall savings to the District.

Mr. Viator asked if there were any further questions, if not he would entertain a motion.

A motion made by Mr. Inzer and seconded by Mr. Foreman to approve authorizing General Manager, Norman Blackman to negotiate the acquisition of two easements from private land owners for re-routing of the 16" Water Transmission line currently under construction due to problems with crossing two petroleum pipelines in the Hwy 12 R.O.W. near the intersection with Burt Street. Motion carried.

18. Consideration and possible action regarding submittal of Escrow Release Application #2 to TCEQ for release of \$7,248,300 of the District's \$14,000,000 Water and Sewer Bond Issue from our escrow account to our construction account.

Mr. Viator read the agenda item.

Mr. Blackman states that this does not require Board action, the submittal letter has to be signed by the Board president.

Mr. Viator asked if there were any further questions, if not he would entertain a motion.

A motion was made by Mr. Perkins and seconded by Mr. Beard to approve submittal of Escrow Release Application #2 to TCEQ for release of \$7,248,300 of the District's \$14,000,000 Water and Sewer Bond Issue from our escrow account to our construction account. Motion carried.

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

Mr. Viator read the agenda item.

Reports were presented by Mr. Blackman and Ms. Serres.

Mr. Blackman reported that we will be posting our project on the government website as required for the BP Restore Act funding opportunity. There is a notice of

Enforcement Order agenda item. We were hoping not to have a fine, but the amount came in at \$2,900. The Board questioned the possibility of asking for intervention from some of our elected representatives. Mr. Blackman's decision was to pay the smaller fine, in case we need to contact our congressmen to help fight the possible enforcement litigation, regarding our problems with start up, at the new Wastewater Treatment Plant. The other on-going topics are still awaiting final action.

Mr. Blackman mentioned that there were several topics that would be put on a workshop agenda later in the calendar year. Mr. Blackman asked if there were any further questions.

Ms Serres gave her financial reports.

Mr. Blackman gave the Field and LPSS reports.

Mr. Viator asked if there were any further questions, if not he would entertain a motion.

A motion was made by Mr. Foreman and seconded to Mr. Inzer to approve the General Manager's monthly status and financial report, as presented. Motion carried. See attachments.

20. Consideration and possible action regarding acceptance of an Agreed Enforcement Order from TCEQ for effluent violations at Cloverleaf Wastewater Treatment Plant and paying a fine of \$2,900.00.

Mr. Viator read the agenda item.

Mr. Viator asked if there were any further questions, if not he would entertain a motion.

A motion was made by Mr. Perkins and seconded by Mr. Inzer to approve acceptance of an Agreed Enforcement Order from TCEQ for effluent violations at Cloverleaf Wastewater Treatment Plant and paying a fine of \$2,900.00, as presented. Motion carried. See attachment.

21. Consideration and possible action regarding General Manager's request to change the method of providing for Manager's transportation for District business from a furnished District car to a car allowance, and to authorize Manager to dispose of 2010 Ford Fusion and 2006 Ford Taurus by appropriate sales or trade-in on a new pickup truck.

Mr. Viator read the agenda item.

Mr. Viator asked if there were any further questions, if not he would entertain a motion.

A motion was made by Mr. Beard and seconded by Mr. Foreman to approve the General Manager's request to change the method of providing for Manager's transportation for District business from a furnished District car to a car allowance, in the amount of \$233.33 per month, and to authorize Manager to dispose of 2010 Ford Fusion and 2006 Ford Taurus by appropriate sales or trade-in on a new pickup truck.

For: Mr. Beard, Mr. Inzer, Mr. Foreman and Mr. Viator.

Nay: Billy Perkins. Motion carried.

22. Consideration and possible action on request for sewer service to Sugar Pines Mobile Home Park (SPMHP) located on West Circle Drive.

Mr. Viator read the agenda item.

Mr. Blackman explained to the Board that it is feasible to serve SPMHP with sewer. The District is capable of treating the extra flow. The cost of expanding the sewer force main would fall to SPMHP. Mr. Blackman proposes having an item on the workshop agenda to consider expansion possibilities.

Mr. Viator asked if there were any further questions, if not he would entertain a motion.

A motion was made by Mr. Perkins and seconded by Mr. Inzer to table this agenda item, and to add it to the workshop agenda. Motion carried.

23. Consideration and possible action regarding setting a date and time for a Workshop Meeting to discuss topics including, but not limited to, development of policies for extending water/sewer services to unserved areas within and outside District boundaries, revisions to personnel policies, and policy for water turn ons for landlord temporary use.

Mr. Viator read the agenda item.

The Board discussed dates to have a workshop.

Mr. Viator asked if there were any further questions, if not he would entertain a motion.

A motion was made by Mr. Perkins and seconded by Mr. Beard to table the agenda item. Motion carried.

24. Consideration and possible action regarding the approval/amendments to the minutes of the January 20, 2014 regular meeting and the February 3, 2014 workshop.

Mr. Viator read the agenda item.

Mr. Viator asked if there were any further questions, if not he would entertain a motion combining items 24 and 25.

A motion was made by Mr. Beard and seconded by Mr. Perkins to approve the minutes of the January 20, 2014 regular meeting and the February 3, 2014 workshop, as presented and payment of the District's monthly bills. Motion carried.

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

See agenda item No. 24

26. Board Members comments.

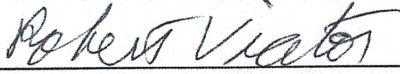
Mr. Viator read the agenda item.

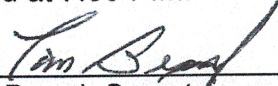
There were no comments.

28. Adjournment

Mr. Viator read the agenda item.

A motion was made by Mr. Perkins and seconded by Mr. Inzer to adjourn the meeting. Motion carried. Meeting adjourned at 7:50 P.M.

  
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Robert Viator, President

  
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Tim Beard, Secretary