



Meeting Minutes

March 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-absent Secretary
Percy Foreman..... Director
Frank Inzer..... Director

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

Others present: Larry Hunter, Provost Umphrey Law Firm; Toby Davis & Jeff Scogin, Carroll & Blackman Consulting Engineers, Inc.; Calvin Prosen Arceneaux & Gates Consulting Engineers, Inc.; George Garza, Vidor Vidorian; Ernest Bayard, 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, President of the Board, called the meeting to order, with a quorum present, at 5:30 P. M.

INVOCATION & PLEDGE OF ALLEGIANCE

Mr. Foreman offered the invocation and Mr. Perkins led the pledges.

MEETING AGENDA

1. Citizen comments.

Mr. Bayard how the City and the Water District were connected, Mr. Viator informed him there was no connection. The City and the District are separate entities. Mr. Bayard continued on asking why the District provided sewer and water for the City, he thought the city should be providing those services. Mr. Viator stated that this was set up many years ago and that is the way it has remained. The District provides those services and the City provides Street repair, Police protection and sanitation services. Mr. Bayard went on to say that the City was raising taxes and that it had collected 2 million in sales tax last year and could not keep the roads maintained.

2. Consideration and possible action regarding of Carroll & Blackman, Inc.'s Monthly Status Report concerning ongoing District projects.

Mr. Viator read the agenda item.

Mr. Davis reported on Project A. The project is virtually completed, there are only minor finishing touches to address. Mr. Scogin presented progress maps regarding Project B. The IH 10 bore is still not completed, Mr. Scogin informed the Board that the contractors were supposed to start the bore on March 18, 2014. The rain events have delayed the boring contractors from beginning the work. Adding additional information on Contract B, Mr. Scogin informed the Board that the North Force Main project is complete, and Tiger Lake Lift Station is operable. The next step is demolition of Tiger Lake Wastewater Treatment Plant. Mr. Scogin reported on Contract C. The contractors are working North of IH 10 and Main Street rehab and have made steady progress. Mr. Scogin informed the Board that the street repair crew is in place to address the reported problem areas.

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

A motion by Mr. Perkins and seconded by Mr. Foreman 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 No. 20575 for Contract B – Cloverleaf and Tiger Lake Lift Station/Force Main in the amount of **\$4,452.50**; Invoice No. 20576 Contract C – Sanitary Sewer Collection System Rehabilitation in the amount of **\$29,248.00**; Invoice No. 20577 for General Services regarding District map update, in the amount of **\$910.00**. This is a Grand Total of **\$34,610.50**.

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

Mr. Scogin presented the invoices.

Mr. Viator 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. Perkins to approve of Carroll and Blackman, Inc., monthly invoices for District projects as listed:

Invoice No. 20575 for Contract B – Cloverleaf and Tiger Lake Lift Station/Force Main in the amount of **\$4,452.50**; Invoice No. 20576 Contract C – Sanitary Sewer Collection System Rehabilitation in the amount of **\$29,248.00**; Invoice No. 20577 for General Services regarding District map update, in the amount of **\$910.00**. This is a Grand Total of **\$34,610.50**, and the request for payment on Estimate No. 41 from Allco, Ltd., in the amount of **\$2,750.00** for Construction Contract TWDB No. 72129-SRF-3358-02 – Contract A Wastewater Treatment Plant payment as presented. Motion carried. See attachments

4. Consideration and possible action on request for payment on Estimate No. 41 from Allco, Ltd., in the amount of **\$2,750.00** for Construction Contract TWDB No. 72129-SRF-3358-02 – Contract A Wastewater Treatment Plant. See agenda item No. 3.

5. Consideration of and possible action regarding request for payment on Estimate No. 17 from Allco, Ltd., in the amount of **\$67,312.59** 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 stated he did not think the Board should pay the invoice until the bore is started at the IH 10 site. He cited the lengthy amount of time the contractor has taken in getting the bore started. Mr. Viator also stated the contractor has continually given the District start times and has not following through with any action.

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. Foreman to approve payment on Estimate No. 17 from Allco, Ltd., in the amount of **\$67,312.59** for Construction Contract TWDB No. 72129-SRF-3358-02 – Contract B - Cloverleaf & Tiger Lake Lift Stations and Force Mains, with payment being withheld until the work on the bore at IH 10 begins. Motion carried. See attachments.

6. Consideration of and possible action regarding request for payment on Estimate No. 6 from T. Construction LLC., in the amount of **\$359,150.28** for Construction Contract TWDB No. 72129-SRF-3358-02 – Contract C – Sanitary Sewer Rehabilitation Project.

Mr. Viator read the agenda item.

Mr. Scogin presented this invoice.

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. Foreman to approve payment on Estimate No. 6 from T. Construction LLC., in the amount of **\$359,150.28** for Construction Contract TWDB No. 72129-SRF-3358-02 – Contract C – Sanitary Sewer Rehabilitation Project, as presented. Motion carried. See attachment.

7. Consideration of 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 finishing elements for Water Well #7 are nearing completion. All electrical lines are underground on the well site, although, Entergy had to set a pole at the road to bring the electrical to the site. The contractors have stated that the Elevated Storage Tank will be completed by April 24, 2014. Landmark is asking for a preliminary inspection on March 13, 2014.

Mr. Viator asked if the Board would consider agenda items 7 & 8 together in a motion.

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 and Arceneaux & Gates Consulting Engineers, Inc. monthly invoices: Invoice No. 14234 in the amount of **\$18,312.00** for Water Well No. 7 Project, as presented. Motion carried. See attachments.

8. Consideration and possible action regarding Arceneaux & Gates Consulting Engineers, Inc. monthly invoices: Invoice No. 14234 in the amount of **\$18,312.00** for Water Well No. 7 Project.

See agenda item No. 8.

9. Consideration and possible action regarding the Citgo Pipeline easement encroachment agreement.

Mr. Viator read the agenda item.

Mr. Viator asked that the Board consider agenda items 9, 10 and 11 together in a 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. Foreman to take no action on agenda items 9, 10 and 11. Motion carried.

10. Consideration and possible action regarding acquiring estimates on easements for the Transmission Lines Projects regarding the Myers-Barnes land tract.
See agenda item No. 9.

11. Consideration and possible action regarding acquiring estimates on easements for the Transmission Lines Projects regarding the Dunigan land tract.
See agenda item No. 9.

12. Consideration and possible action on request for payment of Estimate No 11 for Contract No. 2 - Water Well No. 7 in the amount of **\$31,712.54** to T.Johnson Industries, Inc.

Mr. Viator read the agenda item.

Mr. Prosen presented the invoices.

Mr. Viator asked that the Board consider agenda items 12, 13 and 14 together in a motion.

A motion was made by Mr. Perkins and seconded by Mr. Foreman to approve payment of Estimate No 11 for Contract No. 2 - Water Well No. 7 in the amount of **\$31,712.54** to T.Johnson Industries, Inc.; Estimate No. 8 for Contract No. 3 - 500,000 gallon Elevated Storage Tank in the amount of **\$73,575.00** to Landmark Structures LLP; Estimate No. 8 for Contract No. 3 - 500,000 gallon Elevated Storage Tank in the amount of **\$73,575.00** to Landmark Structures LLP, as presented. Motion carried. See attachments.

13. Consideration and possible action regarding request for payment of Estimate No. 8 for Contract No. 3 - 500,000 gallon Elevated Storage Tank in the amount of **\$73,575.00** to Landmark Structures LLP.

See agenda item No. 12.

14. Consideration and possible action regarding Change Order No. 2, in the amount of **\$2,628.00**, for Job No. OCW-010 Contract No. 3, the 500,000 Gallon Elevated Storage Tank.

Mr. Viator read the agenda item.

Mr. Prosen presented the change order.

Mr. Viator read the agenda item.

Mr. Prosen presented the invoices.

A motion was made by Mr. Foreman and seconded by Mr. Perkins to approve the Change Order No. 2, in the amount of **\$2,628.00**, for Job No. OCW-010 Contract No. 3, the 500,000 Gallon Elevated Storage Tank, as presented. Motion carried.

15. Consideration and possible action regarding approval/amendments to the minutes of the February 17, 2014 regular meeting.

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 the minutes of the February 17, 2014 regular meeting, as presented. Motion carried.

16. Board Members comments.

Mr. Inzer inquired about who pays for and maintains fire hydrants. Mr. Blackman stated that there are some issues to be worked out with the other entities regarding that subject. He hopes to meet with the City of Vidor (City) and the Orange County Emergency District (Fire District) in the near future to clarify the duties of each entity in regard to fire hydrants. Historically the protocol has been that the City or Fire District pays for the fire hydrants and the District installs the fire hydrants. The Fire District maintains the fittings and valves. If the District is extending large diameter water lines we include fire hydrants, or the capacity to install fire hydrants at a later time. There were no more questions from the Board.

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

Mr. Viator read the agenda item.

Mr. Blackman presented his report. The report consisted of updates on old business items from prior meetings.

New topics for Board's information consisted of an Enforcement Order from TECQ regarding the new Treatment plant at Oaklane. The start up of the plant was riddled with effluent problems that took six weeks to solve. The effluent discharge was in violation of some of TCEQ parameters. Mr. Blackman has contacted the office of State Senator Robert Nichols and they have agreed to help in the negotiation of the Enforcement. Senator Nichols' office sent that information to TCEQ. We have been in contact with TCEQ and they have been helpful in offering advice on how to proceed. Mr. Blackman informed the Board he would like to have another workshop for discussion of policy and possible changes.

Ms. Serres presented the Financial Report

Mr. LeJune presented the Field reports.

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. Foreman to approve the minutes of the February 17, 2014 regular meeting. Motion carried.

18. Consideration and possible action regarding Order of Cancellation of General Election of May 10, 2014, for unopposed candidates for directors.

Mr. Viator read the agenda item.

Mr. Hunter presented the Order.

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. Foreman to approve Order of Cancellation of General Election of May 10, 2014, for unopposed candidates for directors, as presented. Motion carried.

19. 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. 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 table the agenda item. Motion carried.

20. Consideration and possible action regarding payment to Shane Richardson for mapping the District water and sewer lines for GIS project.

Mr. Viator read the agenda item.

Mr. Blackman presented the agenda item. The item was put on the agenda for the Board's information. The payment to Mr. Richardson will be paid in the \$30,000 allocated for the GIS system. Mr. Richardson had done the mapping of the water and sewer lines prior to the GIS system being approved. Rick Masters has deemed the work done by Mr. Richardson as beneficial to the overall effort toward a GIS system, and will pay for the Mr. Richardson's invoice through the approved budget.

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. Perkins to table the agenda item. Motion carried.

21. Consideration and possible action regarding approval of Resolution No. 3-2014 adopting the Orange County Water Control and Improvement District No. 1 2014 Drought Contingency Plan.

Mr. Viator read the agenda item.

Mr. Blackman informed the Board that TRWS

A motion was made by Mr. Perkins and seconded by Mr. Inzer to approve Resolution No. 3-2014 adopting the Orange County Water Control and Improvement District No. 1 2014 Drought Contingency Plan, as presented. Motion carried. See attachment.

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

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. Foreman to approve payment of the District's monthly bills, as presented. Motion carried. See attachment.

- 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.

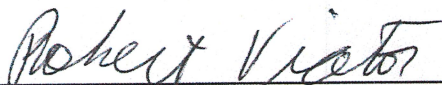
Mr. Viator asked if there were any further questions, if not he would entertain a motion.

A motion was made by Mr. Inzer and seconded by Mr. Foreman to set a workshop for March 31, 2014 at 10:00 A.M. Motion carried.

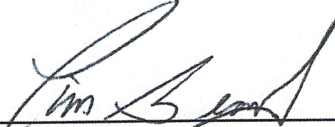
24. Adjournment

Mr. Viator read the agenda item.

Mr. Perkins made a motion and was seconded by Mr. Foreman to adjourn the meeting. Motion carried. Meeting adjourned at 7:40 P. M.



Robert Viator, President



Tim Beard, Secretary