



## Meeting Agenda

September 17, 2012– 5:30 pm

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

Robert Viator .....President  
Billy Perkins-absent .....Vice-President  
Tim Beard .....Secretary  
Percy Foreman..... Director  
Frank Inzer ..... Director

**Orange County Water Control Staff Present:**

Darlene Jackson-absent .....General Manager  
David LeJune .....Operations Manager  
Chris Serres.....Financial Director

Others present: Bill Hargrove, Crosstex NGL Pipeline, L.P.; Toby Davis, Carroll & Blackman, Inc.; Jamie Lear; Ina Lear; DeLane Lear; James Conn; Lance Sturm all from the Evergreen Park Area; Calvin Prosen, Arceneaux and Gates Consulting Engineers, Inc.; and George Garza with the Vidor Vidorian

*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.*

**The Board of Directors of Orange County Water Control & Improvement District No. 1 (hereinafter referred to as the "District") will hold a PUBLIC HEARING on Monday, September 17, 2012, at 5:30 p.m. immediately followed by the regular monthly meeting at the District office located at 460 East Bolivar Street, Vidor, Texas, within the boundaries of said District for the following purposes:**

**PUBLIC HEARING:**

1. Public hearing on the proposed ad valorem tax rate for the year 2012 for the District.  
Robert Viator called a Public Hearing to order at 5:30 p.m. regarding the proposed 2012 ad valorem tax rate for Orange County Water Control & Improvement District No. 1.

Mr. Viator asked for any questions and/or comments for the citizens in attendance regarding the proposed 2012 tax rate.

George Garza of the Vidor Vidorian inquired as to what the proposed tax rate will be for the 2012 tax year.

Robert Viator responded that the 2012 proposed tax rate was calculated at .45 cents per 100 dollars of valuation. Mr. Viator further stated that last year's tax rate was .44159 which is an increase of .008 cents. He then added that the District's tax rate is used for the payment of Tax Bonds only and no money from tax dollars is used for Maintenance and Operation.

2. Adjournment.

There being no further questions, a motion was made by Mr. Beard and seconded by Mr. Foreman to adjourn the Public Hearing at 5:35 p.m.

#### **CALL TO ORDER**

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*Announce the presence of a Quorum.*

Robert Viator then called the Regular Meeting of the Board of Directors to order at 5:35 p.m.

#### **INVOCATION & PLEDGE OF ALLEGIANCE**

The invocation was given by Frank Inzer and the Pledge of Allegiance was led by Tim Beard.

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#### **CITIZEN COMMENTS**

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1. Consideration of approval/amendments to the minutes of the August 20, 2012 regular meeting.  
A motion was made by Percy Foreman and was seconded by Tim Beard to approve the minutes of the August 20, 2012 Board Meeting as presented. All Voted Aye
2. Consideration of residents of Evergreen Park Sub-Division, regarding property tax.  
The Board of Directors then received testimonies from the following residents regarding the possibility of being removed from Orange County Water Control & Improvement District No. 1's tax roll as the District is not able to provide these citizens with utility services:

Jamie Lear	1170 Kenwood
DeLane and Ina Lear	1180 Kenwood
James Conn	1155 Kenwood
Lance Sturm	1153 Kenwood

Larry Hunter, Legal Counsel for Orange County Water Control & Improvement District No. 1, explained that he, along with the Board of Directors, is seeking a solution and that it may take



some action by the legislature before the District could provide any tax relief, if at all possible. Mr. Hunter further explained that District boundaries are set by election and since the time of the election that placed these properties within the District's boundaries, bonds have been sold based on the tax base with these property values on the District's tax roll. Mr. Hunter then reiterated that he is diligently working on a solution.

Robert Viator then spoke with the citizens regarding this matter reassuring the citizens that the Board of Directors, along with Legal Counsel, will do everything within their power to provide affected citizens with property tax relief. He then added that he could not make any promises as to the outcome but stood by his word that the Board will do everything within their power to get this matter resolved.

No action was required on this agenda item.

3. Consideration of adopting 2012 tax rate as presented by Lynda Gunstream, Orange County Tax Assessor-Collector

A motion was made by Percy Foreman and was seconded by Frank Inzer to adopt a 2012 tax rate of .45 per 100 dollars of valuation. All Voted Aye

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

Mr. Viator then called for the District Managers monthly status report along with financial reports and field reports.

Darlene Jackson, District Manager, reported to the Board that the District auditors have submitted their Governance Letter which provides the framework of communication between the auditors and the District's governing body and staff.

Also, Ms. Jackson distributed a "Related Party Questionnaire" to the Board Members as provided by the auditors. She asked each Board member to complete the questionnaire and return it at their earliest convenience for submittal back to the auditors.

Ms. Jackson then briefed the Board on matters regarding the Waste Water Treatment Plant and the progress of Well #7. She added that the engineers on both of these projects were present and would further elaborate of these projects.

Chris Serres, Finance Director, presented the Board with the Billing Report, Statement of Account Balances, Interest Balances, and the Budget Comparison Report for the month of August 2012. (See Attached)

David LeJune, Operations Manager, presented the Board with the Field Report and the Low Pressure Sewer System Report. (See Attached)

A motion was made by Tim Beard and seconded by Percy Foreman to accept the District Manager's monthly status report along with the Financial Reports and the Field Report as presented by the Finance Director and the Operations Manager respectively.

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

A motion was made by Tim Beard and seconded by Percy Foreman to approve payment of the District's monthly invoices as presented. (See Attached) All Voted Aye.

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

Toby Davis of Carroll and Blackman, Inc. briefed the Board on the progress of the Waste Water Treatment Plant Project, the Cloverleaf and Tiger Lake Lift Station/Force Main Project and the Sanitary Sewer Collection System Rehabilitation Project. (See Attached Report).

A motion was made by Frank Inzer and seconded by Percy Foreman to accept Carroll and Blackman, Inc.'s monthly status report as presented. All Voted Aye.

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

Invoice #19404 for Wastewater Treatment Plant in the amount of \$24,120.00; Invoice #19405 for Cloverleaf-Tiger Lake Lift Station/Force Main, in the amount of \$3,000.00; Invoice #19406 for Sanitary sewer collection system rehabilitation, in the amount of \$30,970.00; Invoice #19413 for Well #4 repair, in the amount of \$1,330.00; Invoice #19412, for Cloverleaf WWTP Enforcement Action, in the amount of \$154.50; for a total of \$59,574.50.

A motion was made by Frank Inzer and seconded by Percy Foreman to approve payment of Carroll and Blackman's invoices as follows: Invoice #19404 in the amount of \$24,120.00; Invoice #19405 in the amount of \$3,000.00; Invoice #19406 in the amount of \$30,970.00; Invoice #19412 in the amount of \$154.50 and Invoice #19413 in the amount of \$1,330.00 for a total of \$59,574.50. All Voted Aye.

8. Consideration of request for payment on Estimate # from Allco, Ltd., in the amount of \$179,208.37, for Construction Contract TWDB No. 72129-SRF-3358-02 – Waste Water Treatment Plant.

A motion was made by Tim Beard and seconded by Percy Foreman to approve payment of Estimate #22 in the amount of \$179,208.37 from Allco, Ltd. for construction progress on the Waste Water Treatment Plant Project. All Voted Aye.

9. Consideration of Arceneaux & Gates Consulting Engineers, Inc. monthly status Report on water well project

Calvin Prosen with Arceneaux and Gates Consulting Engineers, Inc. briefed the Board regarding the status of the Water Well & Production Facilities Project, the Elevated Storage Tank Project, and the Water Line Extensions Project. Mr. Prosen also informed the Board that he will be requesting release of funds for several of these projects and for the reimbursement of the land acquisition. Another issue he noted to the Board was that of standing water along Tram Road. Mr. Prosen informed the Board that he has spoken to the contractor concerning this matter and that this issue will be addressed to minimize the amount of water standing. (See Attached Report)

A motion was made by Percy Foreman and was seconded by Tim Beard to accept Arceneaux and Gates Consulting Engineers, Inc.'s monthly status report as presented. All Voted Aye.

10. Consideration of Arceneaux & Gates Consulting Engineers, Inc. monthly invoices: Invoice #13639, in the amount of \$23,225.00 and Invoice #13640, in the amount of \$10,170.00, for Water Well #7 Project, for a total of \$33,395.00.

A motion was made by Percy Foreman and was seconded by Tim Beard to approve payment of Arceneaux and Gates Consulting Engineers Inc.'s invoices as follows: Invoice #13639 in



the amount of \$23,225.00 and Invoice #13640 in the amount of \$10,170.00 for a total of \$33,395.00. All Vote Aye.

11. Consideration of request for payment on Estimate #1 from Placo, Ltd., in the amount of \$257,259.87 for work performed on the Water Line Extension Project – Contract 4.

A motion was made by Tim Beard and was seconded by Frank Inzer to approve payment of Estimate #1 in the amount of \$257,259.87 from Placo, Ltd. for work performed on the Water Line Extension Project – Contract #4. All Voted Aye.

12. Consideration of proposed Easement across District property near Brook Hollow Subdivision requested by Crosstex NGL Pipeline L.P.

Mr. Bill Hargrove with Crosstex NGL Pipeline L.P. and Larry Hunter, Legal Counsel for the District, briefed the Board on a request made by Crosstex NGL Pipeline L.P. for a thirty foot (30') wide pipeline easement in the Brookhollow area. They informed the Board that they have spoken with David LeJune, Operations Manager, regarding the use of this property and that it is Mr. LeJune's opinion that the District could not make use of any of this land and that he saw no problem in granting this easement. Mr. Hargrove stated to the Board that Crosstex is prepared to pay the District \$2,021.50 for the 30' easement.

A motion was made by Percy Foreman and seconded by Frank Inzer to grant a 30' easement as requested by Crosstex NGL Pipeline L.P. All Voted Aye

13. Adjournment

A motion was made by Frank Inzer and was seconded by Tim Beard to adjourn the meeting at 7:54 p.m. All Voted Aye.

  
Robert Viator, President

  
Tim Beard, Secretary