



Meeting Minutes

December 16, 2015– 5:30 pm

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

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| Robert Viator | President |
| Frank Inzer | Vice-President |
| Tim Beard-absent | Secretary |
| Trey Haney | Director |
| Guy Groves | Director |

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| Norman Blackman | General Manager |
| David LeJune | Operations Manager |

Orange County Water Control Staff Present:

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| Karen Sampson | Office Manager |
| Chris Serres | Financial Director |

Others present: Larry Hunter, The Ferguson Law Firm; Toby Davis
and Jeff Scogin, Carroll & Blackman Consulting Engineers, Inc.;
George Garza, Vidor Vidorian; Ernest Bayard, M&E Farm

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

INVOCATION & PLEDGE OF ALLEGIANCE

Mr. Inzer offered the invocation and the pledges were led by Mr. Groves.

MEETING AGENDA

1. Citizens comment

Mr. Bayard wished the Board and District staff a "Merry Christmas and Happy New Year."

2. Consideration of 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 report regarding Contract C. The project is complete. The District has created the punch list for the contractors to address. The District is holding retainage on the project.

Regarding the New Bond Surplus Project, Mr. Scogin reported that Carroll & Blackman, Inc. have moved forward on the cast iron water pipe replacement project. They have worked on the construction plan sheets. They have had communication with the utility locators, waiting on estimates to locate on all the routes. Carroll & Blackman, Inc. will continue on with plan sheets for the remainder of the projects.

Mr. Viator asked for a motion.

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

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

Invoice No. 22109 for Project 6560C – Water System Improvements Project in the amount of \$2,196.00.

Mr. Viator read the agenda item.

Mr. Blackman presented the invoice.

Mr. Viator asked for a motion.

A motion was made by Mr. Inzer and seconded by Mr. Haney to approve Carroll and Blackman, Inc., monthly invoices for District projects as listed:

Invoice No. 22109 for Project 6560C – Water System Improvements Project in the amount of \$2,196.00, as presented. Motion carried. See attachments.

4. Consideration of and possible action regarding T. Construction, LLC Payment Request No. 22 for Construction Contract No. 72129-SRF-3358-02 - Contract C - Sanitary Sewer Rehabilitation Project in the amount of \$18,066.04.

Mr. Viator read the agenda item.

Mr. Scogin presented the invoice. Mr. Blackman recommended payment of this

Mr. Viator asked for a motion.

A motion was made by Mr. Haney and seconded by Mr. Groves to approve T. Construction, LLC Payment Request No. 22 for Construction Contract No. 72129-SRF-3358-02 - Contract C - Sanitary Sewer Rehabilitation Project in the amount of \$18,066.04, as presented. Motion carried. See attachment.

5. Consideration of and possible action regarding T. Construction, LLC's request to reduce the retainage on Construction Contract No. 72129-SRF-3358-02 - Contract C - Sanitary Sewer Rehabilitation Project from 10% to 5%, and to approve Payment

Request No. 23 for the release of retainage in excess of 5% in the amount of \$290,427.06.

Mr. Viator read the agenda item.

Mr. Blackman presented the request for release of retainage. Mr. Blackman recommended payment of this release.

Mr. Viator asked for a motion.

A motion was made by Mr. Groves and seconded by Mr. Haney to approve T. Construction, LLC's request to reduce the retainage on Construction Contract No. 72129-SRF-3358-02 - Contract C - Sanitary Sewer Rehabilitation Project from 10% to 5%, and to approve Payment Request No. 23 for the release of retainage in excess of 5% in the amount of \$290,427.06, as presented. Motion carried. See attachment.

6. Consideration of and possible action regarding adopting a resolution identifying Water District General Manager, Norman Blackman as the designated representative for the District, and authorizing Mr. Blackman to sign documents associated with the application and implementation of the Hazard Mitigation Grant Program associated with disaster declaration DR 4223.

Mr. Viator read the agenda item.

Mr. Blackman presented the resolution. This allows the District to apply for grant monies. There is a round of grant money available. The District is interested in applying for grant money to purchase generators for the lift stations at Alamo, Lower lift, Cloverleaf Lift, Well No. 4 & Well No. 5. If the District receives a grant, the generators will be funded at 75% and the District will fund the remaining 25%. Mr. Blackman read the resolution before the Board voted on No. 03-2015.

Mr. Viator asked for a motion.

A motion was made by Mr. Groves and seconded by Mr. Inzer to approve adopting a Resolution No. 03-2015, identifying Water District General Manager, Norman Blackman as the designated representative for the District, and authorizing Mr. Blackman to sign documents associated with the application and implementation of the Hazard Mitigation Grant Program associated with disaster declaration DR 4223, as presented. Motion carried. See attachment.

7. Consideration of and possible action regarding adopting a resolution committing to fund 25%, or more, of the total project costs associated with the implementation of any projects awarded through the Hazard Mitigation Grant Program associated with disaster declaration DR 4223.

Mr. Viator read the agenda item.

Mr. Blackman presented the resolution.

Mr. Viator asked for a motion.

A motion was made by Mr. Inzer and seconded by Mr. Haney to approve adopting a resolution committing to fund 25%, or more, of the total project costs associated with the implementation of any projects awarded through the Hazard Mitigation Grant Program associated with disaster declaration DR 4223, as presented. Motion carried. See attachment.

8. Consideration and possible action regarding approval/amendments to the minutes of the November 16, 2015 regular meeting.
Mr. Viator read the agenda item.
Mr. Viator asked if there were any questions of the minutes.
Mr. Viator asked for a motion.
A motion was made by Mr. Haney and seconded by Mr. Groves to approve the minutes of the November 16, 2015 regular meeting, as presented. Motion carried.
9. Board Members comments.
There were no Board comments.
10. Consideration and possible action regarding General Manager's monthly status and financial report.
Mr. Viator read the agenda item.
Mr. Blackman presented the General Manager's report included an update on the BP/Restore Act Funding. Mr. Blackman had received an email stating that our project is being considered for funding for 2016. There will be monies available in 2017 if we do not get funded in 2016. Mr. Blackman informed the Board of the last test numbers taken by TECQ, regarding the TTHM. The numbers are still high, but have decreased in the percentage of TTHM. Our consultant in this matter, Tony Bennett, reports the lab results, from state labs used by TCEQ, are suspected to have a 10% to 20% variability in test results. The District is currently conducting its own testing, with the rented analyzer, to determine the best option in reducing the District's TTHM.
Mr. Blackman informed the Board of some problems with Well No. 4. After getting the repairs done to the well, it was discovered that the water was discolored and making a fine sand. We took a raw sample of water at Well No. 7 to find there is fine sand at that site, also. We are putting Well No. 4 back online and monitor it for 6 months to see what impact the sand issue has on the water quality.
Ms. Serres presented the financial report.
Mr. LeJune presented the Field and LPSS reports.
Mr. Viator asked for a motion.
A motion was made by Mr. Inzer and seconded by Mr. Haney to approve the General Manager's monthly status and financial report and field/LPSS report, as presented. Motion carried. See attachment.
11. Consideration of and possible action regarding payment of the District's monthly bills.
Mr. Viator read the agenda item.
Mr. Viator asked for a motion.
A motion was made by Mr. Groves and seconded by Mr. Haney to approve payment of the District's monthly bills, as presented. Motion carried. See attachment.
12. Consideration of and possible action regarding approval of the necessary repairs to Water Well No. 4, including new well pump, lineshaft, and carrier pipe, cleaning of the casing by brushing, and videographing the casing condition pre- and post-cleaning, at a total cost of \$52,460.00, and a new motor at a cost of \$5,250.00, totaling \$57,710.00, and, recognizing the emergency nature of these repairs, ratification of expenditures already made for this work.

Mr. Viator read the agenda item.

Mr. Blackman stated that this item is to ratify the work already done to repair Well No.4.

Mr. Viator asked for a motion.

A motion was made by Mr. Groves and seconded by Mr. Inzer to approve action regarding approval of the necessary repairs to Water Well No. 4, including new well pump, line shaft, and carrier pipe, cleaning of the casing by brushing, and videographing the casing condition pre- and post-cleaning, at a total cost of \$52,460.00, and a new motor at a cost of \$5,250.00, totaling \$57,710.00, and, recognizing the emergency nature of these repairs, ratification of expenditures already made for this work, as presented. Motion carried.

13. Consideration of and possible action regarding a TCEQ Enforcement Action against Orange County WCID No. 1 for violations of water quality standards associated with Maximum Contaminant Levels (MCL) for Trihalomethanes (TTHM), and consideration of approving a Proposed Agreed Order assessing a penalty of \$1,380.00 and setting a deadline for returning to compliance with the MCL for TTHM.

Mr. Viator read the agenda item.


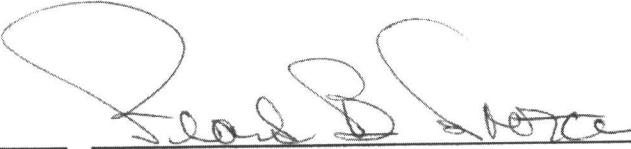
Mr. Blackman presented this agenda item. Mr. Blackman informed the Board that the fine is less than he expected. This is in reference to our Trihalomethane issue. The Agreed Order has to be signed by the District and sent back to TCEQ showing we are willing to comply with the Agreed Order. The facts are correct in the Agreed Order, so the District is willing to accept the Agreed Order. The time frame of returning to compliance is a problem the District will not be able to meet those terms. Mr. Blackman has contacted our TCEQ coordinator to ask for a longer timeframe for the District to be in compliance. Mr. Blackman has a timeline of December of 2017 to have the District in compliance. Mr. Blackman has submitted this change in timeline to TCEQ and is awaiting confirmation agreement. Mr. Blackman is still exploring the options of how the District will best eliminate the high Trihalomethane problem.

Mr. Viator asked for a motion.

A motion was made by Mr. Groves and seconded by Mr. Haney to approve action regarding a TCEQ Enforcement Action against Orange County WCID No. 1 for violations of water quality standards associated with Maximum Contaminant Levels (MCL) for Trihalomethanes (TTHM), and consideration of approving a Proposed Agreed Order assessing a penalty of \$1,380.00 and setting a deadline for returning to compliance with the MCL for TTHM, as presented. See attachment.

14. Adjournment

A motion was made by Mr. Inzer and seconded by Mr. Haney to adjourn the meeting. Motion carried. Meeting adjourned at 7:20 P.M.


Robert Viator, President
Frank Inzer, Vice-President