

Regular Meeting Minutes

December 12, 2022 – 5:30 pm

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

Frank Inzer.....President
Tim Beard.....Vice President
Trey Haney.....Secretary
Kelly Brewer.....Director
Troy Taylor.....Director
Chris Serres.....General Manager
David LeJune.....Operations Manager

In accordance with Section 551.042 of the Texas Government Code, this agenda has been posted in the lobby and on the front door of the Orange County Water Control & Improvement District No. 1 Administrative office for the time required by law. The President requests that all cell phones and pagers be turned off or set to vibrate.

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.

REGULAR MONTHLY MEETING OF BOARD OF DIRECTORS

CALL MEETING TO ORDER

President Frank Inzer called the Regular Meeting to order at 5:32 p.m.

ANNOUNCE THE PRESENCE OF A QUORUM

Members present were President Frank Inzer, Vice President Tim Beard, Secretary Trey Haney, Director Troy Taylor. Director Kelly Brewer was absent.

STAFF PRESENT

David LeJune, Operations Manager, and Denise Ackley, Accounts Receivable Clerk were present.

OTHERS PRESENT

Jeff Scogin, LJA Engineering, and Kate Leverett, Attorney, Kenneth and Rose Luce, Citizens were present

INVOCATION AND PLEDGES

Invocation was given by Vice President Tim Beard and Pledges were led by Secretary Trey Haney.

MEETING AGENDA

1. Citizen comments.

There were no comments.

12. Consideration of approval of a petition to enter an order to add land to the Water District concerning property described as being a 10.462-acre tract of land in a part of the John Davenport Survey Abstract Number 27 as recorded in Volume 150, Page 445, of the Deed Records of Orange County, Texas in the name of Rose Marie Luce, 1838 and 1840 Leigh Street, Vidor, Texas, 77662.

A motion was made by Secretary Trey Haney and seconded by Vice President Tim Beard approving the petition to enter an order to add land to the Water District concerning property described as being a 10.462-acre tract of land in a part of the John Davenport Survey Abstract Number 27 as recorded in Volume 150, Page 445, of the Deed Records of Orange County, Texas in the name of Rose Marie Luce, 1838 and 1840 Leigh Street, Vidor, Texas, 77662. All voted Aye.

2. Consideration and possible action regarding LJA Engineering, Inc. Monthly Status Report concerning ongoing District projects.

Jeff Scogin, LJA Engineering presented the monthly status report as follows:

**ORANGE COUNTY WCID No. 1
2015 Surplus Funds Water and Sanitary Sewer Projects
ENGINEERING INVOICE DETAIL
November 2022**

6560C – SURPLUS FUNDS WATER SYSTEM IMPROVEMENTS PROJECT (Contract No. 1 - Cast Iron Water Line Replacement and Contract No. 2 - Water Well Sites Improvements)

Contract No. 1:

This project has been completed.

Contract No. 2:

This project has been completed.

Services during this period included a meeting with the District Manager on the draft surplus funds report..

6560D – SURPLUS FUNDS SANITARY SEWER SYSTEM IMPROVEMENTS PROJECT (Contract No. 4 – Sanitary Sewer Lift Station Rehabilitation Project)

LJA has prepared and sent the Notice of Award to the contractor for the Alamo Lift Station. We received and reviewed their executed contract documents. A pre-construction meeting with the contractor and District staff was held on Dec 6th. We have received and reviewed some equipment submittals from the contractor.

LJA is working to complete the plans for the West Davis LS, Poplar LS, and Texas St LS. The District has provided LJA with comments. We are addressing those comments and a few other items. We expect to have these completed by January.

6560E – SURPLUS FUNDS WATER AND SEWER SERVICE EXTENSIONS PROJECT (Contract No. 3 – Water and Sanitary Sewer Service Extensions Project)

LJA has completed most of the plans for the extensions except Area 1. We provided options to the Board in November in an update for providing water and sewer service to Area 1. We expect this issue to be considered by the Board as its January 2023 meeting.

**ORANGE COUNTY WCID #1
Texas Water Development Board
TWDB CWSRF Project No. 73825
Sanitary Sewer Lift Station Restoration Project
PROJECT STATUS REPORT
November 2022**

Services through this month include coordination with TWDB and construction phase services.

The only equipment remaining to be delivered is the ductile iron piping and the generator.

A gas line located that interferes with the placement of the platform and the construction has been put on hold. LJA has been in coordination with Centerpoint Gas Service on the relocation of the gas line. We anticipate having a design and date of relocation within the next week or two.

Jeff Scogin, LJA Engineering gave an overview of each ongoing project with the District. Mr. Scogin stated that the pumps for the Alamo Lift Station project are expected to arrive in three to four months. He stated the West Davis Lift Station, Poplar Lift Station, and Texas Lift Station projects are expected to be completed in January. He then stated that LJA Engineering is waiting for the options to be considered by the Board of Directors on Area 1 for Water and Sewer Extension project. Mr. Scogin stated the placement of the platform and construction has been put on hold for the Sanitary Sewer Lower Lift Station Restoration Project until the gas line is relocated.

A motion was made by Director Troy Taylor and seconded by Secretary Trey Haney to approve LJA Engineering, Inc. Monthly Status Report concerning ongoing District projects as presented. All voted Aye.

3. Consideration and possible action regarding approval of LJA Engineering, Inc. monthly invoices for District projects as listed: Invoice No. 202231940 in the amount of \$669.00 for Project No. B877-6282 – General Services; Invoice No 202231952 in the amount of \$3,000.00 for Project No. 6560D – Surplus Funds Sanitary Sewer System Improvements Project; Invoice No. 202231953 in the amount of \$2,500.00 for Project No. 6560E – Surplus Funds Water and Sewer Service Extensions Project for a Grand Total of \$6,169.00.

A motion was made by Vice President Tim Beard and seconded by Secretary Trey Haney to approve payment of LJA Engineering, Inc. monthly invoices for District projects as listed: Invoice No. 202231940 in the amount of \$669.00 for Project No. B877-6282 – General Services; Invoice No 202231952 in the amount of \$3,000.00 for Project No. 6560D – Surplus Funds Sanitary Sewer System Improvements Project; Invoice No. 202231953 in the amount of \$2,500.00 for Project No. 6560E – Surplus Funds Water and Sewer Service Extensions Project for a Grand Total of \$6,169.00. All voted Aye.

4. Consideration and possible action regarding Payment Request #4 from MK Constructors in the amount of \$124,568.91 for the TWDB Project No. 73825 for the Lower Lift Station Restoration Project.

A motion was made by Secretary Trey Haney and seconded by Director Troy Taylor to approve payment of MK Constructors' Payment Request #4 in the amount of \$124,568.91 for the TWDB Project No. 73825 for the Lower Lift Station Restoration Project. All voted Aye.

5. Consideration and possible action regarding Payment Request #5 from MK Constructors in the amount of \$21,154.89 for the TWDB Project No. 73825 for the Lower Lift Station Restoration Project.

A motion was made by Secretary Trey Haney and seconded by Vice President Tim Beard to approve payment of MK Constructors' Payment Request #5 in the amount of \$21,154.89 for the TWDB Project No. 73825 for the Lower Lift Station Restoration Project. All voted Aye.

6. Consideration and possible action approving **Resolution No. 12-2022** documenting that the Board of Directors has reviewed and approved with changes, if any, the Orange County Water Control & Improvement District No. 1's Investment Policy and Strategies in compliance with the Public Funds Investment Act Chapter 2256 of the Texas Government Code and find and declare that the meeting at which this resolution was adopted was open to the public, that the Public Notice of time, place and subject matter of the public business to be considered was posted as required by law.

A motion was made by Vice President Tim Beard and seconded by Secretary Trey Haney to approve **Resolution No. 12-2022** documenting that the Board of Directors has reviewed and approved with changes, if any, the Orange County Water Control & Improvement District No. 1's Investment Policy and Strategies in compliance with the Public Funds Investment Act Chapter 2256 of the Texas Government Code and find and declare that the meeting at which this resolution was adopted was open to the public, that the Public Notice of time, place and subject matter of the public business to be considered was posted as required by law. All voted Aye.

7. Consideration and possible action **amending Resolution No. 07-2022** to read **Resolution 10-2022** approving an Engagement Agreement for Bond Counsel Legal Services with Norton, Rose, and Fulbright, US LLP, and other matters in connection therewith.

A motion was made by Secretary Trey Haney and seconded by Director Troy Taylor amending **Resolution No. 07-2022** to read **Resolution 10-2022** approving an Engagement Agreement for Bond Counsel Legal Services with Norton, Rose, and Fulbright, US LLP, and other matters in connection therewith. All voted Aye.

8. Consideration and possible action **amending Resolution No. 08-2022** to read **Resolution 11-2022** requesting financial assistance from the Texas Water Development Board for constructing various public improvements to the District's utility system; authorizing the District's Financial Advisors, Bond Counsel, and Engineers to coordinate the submission of one of more applications to the Texas Water Development Board; and other matters in connection therewith.

A motion was made by Secretary Trey Haney and seconded by Vice President Tim Beard amending **Resolution No. 08-2022** to read **Resolution 11-2022** requesting financial assistance from the Texas Water Development Board for constructing various public improvements to the District's utility system; authorizing the District's Financial Advisors, Bond Counsel, and Engineers to coordinate the submission of one of more

applications to the Texas Water Development Board; and other matters in connection therewith. All voted Aye.

9. Consideration and possible action regarding a proposed Bank Depository Agreement between Orange County Water Control & Improvement District No. 1 and First Financial Bank.

A motion was made by Secretary Trey Haney and seconded by Vice President Tim Beard to approve the Bank Depository Agreement between Orange County Water Control & Improvement District No. 1 and First Financial Bank. All voted Aye.

10. Consideration and possible action regarding approval of Invoice 768835 in the amount of \$6,450.00 to Germer PLLC for legal services.

A motion was made by Secretary Trey Haney and seconded by Director Troy Taylor approving payment of Invoice 768835 in the amount of \$6,450.00 to Germer PLLC for legal services. All voted Aye.

11. Consideration and possible action to approve an additional \$1,986.00 to the previously approved \$103,312.00 to Weisinger, Inc. for repairs to Well #5. The additional costs are for one new top special column and a new (five) 5' shaft for Well No. 5.

A motion was made by Secretary Trey Haney and seconded by Director Troy Taylor approving the additional \$1,986.00 to the previously approved \$103,312.00 to Weisinger, Inc. for repairs to Well #5. The additional costs are for one new top special column and a new (five) 5' shaft for Well No. 5. All voted Aye.

13. Consideration and possible action to approve an Agreement between Orange County Water Control & Improvement District No. 1 and Water Necessities, Inc. allowing for the disconnection of water service for unpaid sewer service as provided for in the Texas Administrative Code Chapter 24 Subchapter F(e)(1).

A motion was made by Vice President Tim Beard and seconded by Secretary Trey Haney to approve the Agreement between Orange County Water Control & Improvement District No. 1 and the agreement to read Rural Water Company, Inc. allowing for the disconnection of water service for unpaid sewer service as provided for in the Texas Administrative Code Chapter 24 Subchapter F(e)(1). All voted Aye.

14. Consideration and possible action regarding approval/amendments of the minutes of the November 14, 2022, Regular Board Meeting.

A motion was made by Secretary Trey Haney and seconded by Director Troy Taylor approving the minutes of the November 14, 2022, Regular Board Meeting. All voted Aye.

15. Consideration and possible action to move the January Board Meeting to the 4th Monday of the month, January 23, 2023, due to the third Monday of the month, January 16, 2023, being a Federal Holiday and the District Offices will be closed.

A motion was made by Secretary Trey Haney And seconded by Vice President Tim Beard approving to move the January Board Meeting to the 4th Monday of the month, January 23, 2023, due to the third Monday of the month, January 16, 2023, being a Federal Holiday and the District Offices will be closed. All voted Aye.

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

- Denise Ackley, Accounts Receivable Clerk gave an overview of the financials for the month of November 2022 starting with the Monthly Billing Re-cap; Billings are down \$4,773.36 when compared to last month's billing. Revenues came in at \$38,391 more than expenditures. Revenues for the month were \$477,120; Expenditures for the month were \$438,159. Bank statements on all accounts are balanced with a combined total of \$9,052,603.49. With an Interest Rate of 3.190500% for the current month; Interest earned for the month of November 2022 was \$18,804.30.
- David LeJune, Operations Manager presented the Field Report stating that 29,322,000 gallons of water was pumped into the systems with 9.88% being unaccounted. There was 44,528,000 gallons of wastewater was treated at the plant. There were 262 water jobs and 53 sewer jobs; a combined total of 315 work orders were completed during the month of November 2022.

A motion was made by Vice President Tim Beard and seconded by Secretary Trey Haney to approve the General Manager's monthly status and financial report as presented. All voted Aye.

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

A motion was made by Secretary Trey Haney and seconded by Vice President Tim Beard to approve the payment of the District's monthly bills. All voted Aye.

18. Board Member comments.

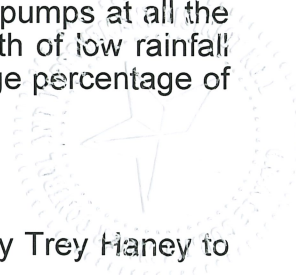
President Frank Inzer - Mr. Inzer stated that Board Member comments are to pertain to the current Agenda items. He then stated that if a board member has a topic or issue that needs to be discussed among the Board of Directors it can simply be added to the next Agenda.


Kate Leverett- Mrs. Leverett suggested to the Board of Directors to set up a workshop to meet and discuss any topics and issues in order to have the Board Meetings run more efficiently. She then stated that the Board Members can get with Chris Serres, General Manager to put together an Agenda for a workshop and schedule an opening meeting.

Director Troy Taylor- Mr. Taylor inquired on the average percentage of cost for the District with an increase of wastewater treated at the plant. David LeJune, Operations Manager stated that the increase of treated wastewater can be from rainwater. He explained that there is 23 Lift Stations steadily pumping to the plant using electricity and the electricity should not change much because of the blowers. He then stated the majority of the cost comes from the electricity for the UV lights and the pumps at all the Lift Stations. Mr. LeJune stated that the District could calculate a month of low rainfall verses a month of high rainfall at all 23 Lift Stations to obtain an average percentage of cost.

19. Adjournment.

A motion was made by Director Troy Taylor and seconded by Secretary Trey Haney to adjourn the meeting at 6:48 p.m. All voted Aye.





 Frank Inzer, President



 Trey Haney, Secretary