



## Meeting Minutes

August 20, 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 .....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  
Karen Sampson .....Office Manager  
Chris Serres .....Financial Director

Others present: Larry Hunter, Provost Umphrey Law Firm; Mark McLiney, Southwest Securities; Toby Davis, Phillip Hotzen, and Norman Blackman of Carroll & Blackman Consulting Engineers, Inc.; Calvin Prosen, Arceneaux & Gates Consulting Engineers, Inc.; George Garza, 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.*

### CALL TO ORDER

Robert Viator, Board President, called the meeting to order at 5:30, with a quorum present.

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**INVOCATION & PLEDGE OF ALLEGIANCE**

Tim Beard offered the invocation, and, Billy Perkins led the Pledges.

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**CITIZEN COMMENTS**

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**There were no Citizens comments.**

**At the request of the Board President, Robert Viator, agenda items 18 Executive Session, and, item 19, the required action item after executive session, were moved to the beginning of the meeting.**

**Motion by Tim Beard and seconded by Frank Inzer to adjourn the regular meeting and convene into Executive Session. Motion carried.**

**For: Tim Beard, Frank Inzer, Percy Foreman, Billy Perkins and Robert Viator.**

**Opposed: None**

**Executive Session convened at 5:33 p.m.**

1. EXECUTIVE SESSION: Deliberation concerning the employment of a successor District General Manager, as provided under Section 551.074 of the Texas Government Code.

Motion made at 6:21 p.m., by Billy Perkins, seconded by Frank Inzer to end the Executive Session.

Motion made at 6:30 p.m., by Frank Inzer, seconded by Billy Perkins to reconvene the regular meeting.

2. Consideration of any action necessary following the deliberation in executive session concerning the selection or search for a successor District General Manager.

Motion by Tim Beard, seconded by Billy Perkins, to offer Norman Blackman the position of District General Manager, per the agreed Employment Contract signed in Executive Session. Mr. Blackman will be succeeding retiring District Manager, Darlene Jackson. Mr. Blackman will start a transitional period of employment on October 25, 2012.

Motion carried.

For: Tim Beard, Billy Perkins, Frank Inzer, Percy Foreman and Robert Viator.

Opposed: None

Mr. Blackman accepted the position. See attachment.

3. Consideration of approval/amendments to the minutes of the July 16, 2012 regular meeting.

Motion by Billy Perkins and seconded by Frank Inzer to approve the minutes of the July 16, 2012 regular meeting, as presented. Motion carried.

For: Billy Perkins, Frank Inzer, Tim Beard, Percy Foreman and Robert Viator.

Opposed: None

4. CONSIDERATION AND DISCUSSION REGARDING THE REFINANCING OF SOME OF THE DISTRICT'S OUTSTANDING BONDS FOR ANNUAL DEBT SERVICE SAVINGS AND AUTHORIZING THE STAFF AND FINANCIAL ADVISOR TO PURSUE THE REFUNDINGS.

Mark McLiney, of Southwest Securities, addressed the Board. Mr. McLiney stated that he was making the Board aware of refunding opportunities. He was here tonight to present a possible refunding on the Revenue Note, series 2001, and Unlimited Tax Refunding Bonds, Series 2003. Motion by Tim Beard, seconded by Frank Inzer, authorizing Mr. McLiney to research possible refunding options, for future Board consideration. Motion carried. See attachment.

For: Tim Beard, Frank Inzer, Billy Perkins, Percy Foreman and Robert Viator.

Opposed: None

5. Consideration of District Manager's monthly status and financial report. Chris Serres presented the District's financial reports. David LeJune presented the field and LPSS reports.

Motion by Percy Foreman, seconded by Frank Inzer, to approve the District Manager's monthly status and financial report.

Chris Serres presented the District's financial reports, as presented. Motion carried. See attachment.

For: Percy Foreman, Frank Inzer, Tim Beard, Billy Perkins and Robert Viator.

Opposed: None

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

Motion by Percy Foreman, seconded by Tim Beard, to pay the District's monthly bills. Motion carried. See attachment.

For: Percy Foreman, Tim Beard, Frank Inzer, Billy Perkins and Robert Viator.

Opposed: None

7. Consideration of certified appraised tax totals for 2012, as presented by Orange County Appraisal District.

Motion by Billy Perkins, seconded by Frank Inzer, to approve the tax roll as presented Appraisal District. Motion carried. See attachment.

For: Billy Perkins, Frank Inzer, Tim Beard, Percy Foreman and Robert Viator.

Opposed: None

8. Consideration of purchasing rod pushing machine (boring machine). Motion by Percy Foreman, seconded by Tim Beard, authorizing David LeJune to pursue three (3) competitive bids, and to accept the lowest bid, if bids are comparable. Motion carried. See attachment.

For: Percy Foreman, Tim Beard, Frank Inzer, Billy Perkins and Robert Viator.

Opposed: None

District Legal Counsel, Larry Hunter, asked he be allowed to review the bids, before the final decision is made.

9. Consideration of Carroll & Blackman, Inc.'s monthly status report concerning ongoing District projects. Phillip Hotzen presented the reports. Motion by Billy Perkins, seconded by Tim Beard, to accept Carroll & Blackman, Inc.'s monthly status report concerning ongoing District projects, as presented. Motion carried. See attachment.

For: Billy Perkins, Tim Beard, Frank Inzer, Percy Foreman and Robert Viator.

Opposed: None

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

Invoice #19353 for Contract A - Wastewater Treatment Plant in the amount of \$7,478.00; Invoice #19354 for Contract C - Sanitary sewer collection system rehabilitation, in the amount of \$20,970.00; Invoice #19349 for project # 6450 - Well #4 repairs, in the amount of \$297.00; for a total of \$28,745.00.

Motion by Billy Perkins, seconded by Tim Beard, to accept Carroll & Blackman, Inc.'s monthly invoices for District projects as listed:

Invoice #19353 for Contract A - Wastewater Treatment Plant in the amount of \$7,478.00; Invoice #19354 for Contract C - Sanitary sewer collection system rehabilitation, in the amount of \$20,970.00; Invoice #19349 for project # 6450 - Well #4 repairs, in the amount of \$297.00; for a total of \$28,745.00.

Motion carried. See attachment.

For: Billy Perkins, Tim Beard, Frank Inzer, Percy Foreman and Robert Viator.

Opposed: None

11. Consideration of request for payment on Estimate #21 from Allco, Ltd., in the amount of \$127,536.78 for Construction Contract TWDB No. 72129-SRF-3358-02 - Waste Water Treatment Plant.

Motion by Tim Beard, seconded by Frank Inzer to pay Estimate #21 from Allco Ltd., in the amount of \$127,536.78 for Construction Contract TWDB No. 72129-SRF-3358-02 - Waste Water Treatment Plant, as presented.

Motion carried. See attachment.

For: Tim Beard, Frank Inzer, Billy Perkins, Percy Foreman and Robert Viator.

Opposed: None

12. Consideration of Change Order #7 for the Contract A - 3.0 MGD Wastewater Treatment Plant.

Motion by Frank Inzer, seconded by Percy Foreman to approve Change Order #7 for the Contract A - 3.0 MGD Wastewater Treatment Plant, as presented. Motion carried. See attachment.

For: Frank Inzer, Percy Foreman, Tim Beard, Billy Perkins and Robert Viator.

Opposed: None

13. Consideration of Change Order #1(FINAL) for the Wexford Park 2012 Sanitary Sewer Main Emergency Pipe Bursting Project, changing the amount of the contract from \$52,956.00 to \$50,675.00 for a savings of \$2,281.00.

14. Consideration of Certificate of Construction Completion for the Wexford Park 2012 Sanitary Sewer Main Emergency Pipe Bursting Project.

15. Consideration of Payment request #1 for the Wexford Park 2012 Sanitary Sewer Main Emergency Pipe Bursting Project, in the amount of \$45,607.50.

**Items 13, 14, and 15 were considered in one motion.**

Motion by Tim Beard, seconded by Billy Perkins, to accept Items 13, 14 & 15, as presented. Motion carried. See attachments.

For: Tim Beard, Billy Perkins, Frank Inzer, Percy Foreman and Robert Viator.

Opposed: None

16. Consideration of Payment Request #2 (FINAL) to Release Retainage, contingent upon Texas Water Development Board approval, for the Wexford Park 2012 Sanitary Sewer Main Emergency Pipe Bursting Project, in the amount of \$5,067.50.

Motion by Percy Foreman, seconded by Frank Inzer, to approve the Payment Request #2 (FINAL), contingent on holding payment for 30 days after completion of project, in order to confirm there are on lien claims, to Release Retainage, contingent upon Texas Water Development Board approval, for the Wexford Park 2012 Sanitary Sewer Main Emergency Pipe Bursting Project, in the amount of \$5,067.50. Motion carried. See attachment.

For: Percy Foreman, Frank Inzer, Tim Beard, Billy Perkins and Robert Viator.

Opposed: None

17. Consideration of Arceneaux & Gates Consulting Engineers, Inc. monthly status Report on water well project  
Calvin Prosen reported the only thing left to do on the Water Well site #7 and the Overhead storage site was to have the geo-tech done on each site. TCEQ had approved the plans for the Well and Elevated tank. Motion by Percy Foreman, seconded by Tim Beard, to approve Arceneaux & Gates Consulting Engineers, Inc. monthly status Report on water well project, as presented. Motion carried. See attachment.

For: Percy Foreman, Tim Beard, Frank Inzer, Billy Perkins and Robert Viator.

Opposed: None

18. Consideration of approval of Arceneaux & Gates Consulting Engineers, Inc. monthly Invoices as listed:

Invoice # 13619 for Contract 2 - Water Production, in the amount of \$7,425.00; Invoice #13619 for Contract 3 - Well Site facilities, in the amount of \$7,800.00; Invoice # 13619 for Contract 4 - Elevated Storage Tank, in the amount of \$2,600.00, Invoice # 13620 for Construction Admin, in the amount of \$1,370.00; Invoice #13620 for Construction Observation, in the amount of \$2,200.00; for a total of \$21,395.00.

Motion by Frank Inzer, seconded by Percy Foreman, to approve the Arceneaux & Gates Consulting Engineers, Inc. monthly Invoices as listed:

Invoice # 13619 for Contract 2 - Water Production, in the amount of \$7,425.00; Invoice #13619 for Contract 3 - Well Site facilities, in the amount of \$7,800.00; Invoice # 13619 for Contract 4 - Elevated Storage Tank, in the amount of \$2,600.00, Invoice # 13620 for Construction Admin, in the amount of \$1,370.00; Invoice #13620 for Construction Observation, in the amount of \$2,200.00; for a total of \$21,395.00, as presented. Motion carried. See attachments.

For: Frank Inzer, Percy Foreman, Tim Beard, Billy Perkins and Robert Viator.

Opposed: None

- 19. Consideration of Change Order N0. 1 for Water Line Extension (FM 1132 & Hwy 105) for a deduction of \$35,086.63

Motion by Percy Foreman, seconded by Tim Beard, to approve the Change Order N0. 1 for Water Line Extension (FM 1132 & Hwy 105) for a deduction of \$34,886.63. Motion carried. See attachments.

For: Percy Foreman, Tim Beard, Frank Inzer, Billy Perkins and Robert Viator.

Opposed: None

- 20. Adjournment

Motion by Billy Perkins, seconded by Tim Beard, to adjourn meeting. Motion carried.

For: Billy Perkins, Tim Beard, Frank Inzer, Percy Foreman and Robert Viator.

Opposed: None

Meeting adjourned at 8:50 p.m.

  
Robert Viator, President

  
Tim Beard, Secretary