



## Meeting Minutes

July 15, 2013– 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-absent ..... Director

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

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

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### INVOCATION & PLEDGE OF ALLEGIANCE

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

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## MEETING AGENDA

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1. Citizen comments.

Mr. Viator read the item. Mr. Bayard asked the Board if oil drilling in the area was affecting the water table, or the aquifer from which the District wells draw water. Mr. Blackman stated that he is unaware of any cases of an oil well contaminating water wells. Mr. Bayard was more concerned with having discolored or disturbed water. Mr. Blackman cited the case of the District's Water Well #5. An oil well was drilled in close proximity to Well #5, with no disturbance to the well. The oil well is far deeper than the water well and the concrete casings go deeper than our entire well. Mr. Blackman is unaware of any data indicating problems with clarity, turbidity or any other interruption in water quality or processing. He went on to state there has been no prohibitions from TCEQ or the State concerning drilling in areas of water wells.

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

Mr. Viator read the item.

Mr. Scogin presented the Board with progress pictures from the past month on Contract A. Mr. Blackman informed the Board that Centerpoint Energy is prepared to proceed with construction of the 4" gas line necessary for the emergency generators at the new Treatment Plant. Mr. Scogin continued with Contract B progress pictures and status maps showing the pipe installed on the forcemain routes. The Board expressed concern that the bores under the railroad and Interstate I-10 have not been started. It was the opinion that if the lift stations are completed before the bores are complete, causing a halt in the project, the contractor will be held accountable. The Board suggested that Mr. Blackman write a letter to that effect, so the contractor is aware of the Board's concern.

Mr. Scogin gave an update on Contract C, stating that the bidding process had begun with a pre-bid meeting on July 9, 2013.

Mr. Viator asked if there were any further questions, none were asked. Mr. Viator stated he would entertain a motion.

A motion was made by Mr. Beard and seconded by Mr. Foreman to approve Carroll & Blackman's status report, as presented. All voted aye.

See attachments

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

Invoice #20083 for Contract A – Wastewater Treatment Plant in the amount of \$4,514.00; Invoice #20084 for Contract B – Cloverleaf and Tiger Lake Lift Station/Force Main in the amount of \$18,740.00; Invoice #20085 – Contract C – Sanitary Sewer Collection System Rehabilitation in the amount of \$10,000.00; for a Grand Total of **\$33,254.00**

Mr. Viator read the item.

Mr. Scogin presented the invoice, stated all the work billed was completed, Mr. Blackman recommended payment.

Mr. Viator asked if there were any further questions, none were asked. Mr. Viator stated he would entertain a motion.

A motion was made by Mr. Perkins and seconded by Mr. Beard to approve Carroll & Blackman's monthly invoices, in the amount of \$33,254.00, as presented. All voted aye.

See attachments

4. Consideration and possible action on request for payment on Estimate 32 from Allco, Ltd., in the amount of \$60,387.87 for Construction Contract TWDB No. 72129-SRF-3358-02 – Contract A Wastewater Treatment Plant.

Mr. Viator read the item.

Mr. Scogin presented progress pictures to the Board.

Mr. Viator asked if there were any further questions, none were asked. Mr. Viator stated he would entertain a motion.

A motion was made by Mr. Foreman and seconded by Mr. Beard to approve Allco's payment request in the amount of \$60,387.87, contingent on receiving wage rate compliance required by the Bacon Davis act. All voted aye.

See attachments

5. Consideration of request for payment on Estimate #9 from Allco, Ltd., in the amount of \$276,598.81 for Construction Contract TWDB No. 72129-SRF-3358-02 – Contract B - Cloverleaf & Tiger Lake Lift Stations and Force Mains.

Mr. Viator read the item.

The Board questioned Mr. Blackman regarding holding this payment to Allco, Ltd., to convey the Board's concern that the bores included in this contract are still incomplete. Mr. Blackman stated to the Board that the contract still has approximately half of their allotted time. Mr. Hunter advised the Board to pay the invoice, but to instruct Mr. Blackman to write a letter expressing the Board's concerns, possibly setting a date to complete the bores. Mr. Blackman informed the Board that the contractor is now 50% complete with the project, and he anticipates that they will request a reduction in retainage from 10%, held for the first half of the project, down to 5% for the remainder of the project.

Mr. Viator asked if there were any further questions, none were asked. Mr. Viator stated he would entertain a motion.

A motion was made by Mr. Beard and seconded by Mr. Foreman to approve Allco's payment request in the amount of \$276,598.81, as presented. All voted aye.  
See attachments

6. Consideration and possible action regarding revising the bid opening date and date of Special Board meeting for making the contract award for the 2009 Sanitary Sewer Improvements Contract C Sanitary Sewer Collection System Rehabilitation Project.

Mr. Viator read the item.

Mr. Blackman informed the Board that the contractors that were present at the pre-bid meeting needed additional time to go through the bid. The bid opening will be moved to the 25<sup>th</sup> of July, and have an awarding of the bid at a special meeting on July 31, 2013.

Mr. Viator asked if there were any further questions, none were asked. Mr. Viator stated he would entertain a motion.

A motion was made by Mr. Perkins and seconded by Mr. Foreman, as presented. All voted aye.

See attachments.

7. Consideration and possible action regarding participation with TXDOT in the cost of resurfacing portions of FM 105 (Main Street) that may become necessary due to damage resulting from the Sanitary Sewer Collection System Rehabilitation Project.

Mr. Viator read the item.

Mr. Blackman informed the Board that the contractors voiced the opinion that bidding the Main Street portion of the contract separately would be more costly to the District. Mr. Blackman is asking the Board to approve combining the Main Street portion of the contract into the base bid package.

Mr. Viator asked if there were any further questions, none were asked. Mr. Viator stated he would entertain a motion.

A motion was made by Mr. Perkins and seconded by Mr. Foreman, to have Main Street sewer improvements included in the base bid package, as presented. All voted aye.

See attachments

8. Consideration of Arceneaux & Gates Consulting Engineers, Inc. Monthly Status Report on Water Well, Elevated Tank, and Transmission Lines Projects.

Mr. Viator read the item.

Mr. Prosen presented progress pictures on the elevated storage tank.

He reported that the 36 hour pump test results were exceptional. The preliminary water quality reports are in, Mr. Prosen will report on those at the next meeting. T Johnson Industries, Inc. is mobilizing to complete the construction.

Water Line Contract No. 4 is complete. TXDOT is cleaning ditches on Hwy FM 1132, TXDOT will take care of the silt fences left in place from construction.

Mr. Prosen's report regarding Contract No. 5 included information on the pre-bid meeting held on July 8, 2013, and the bids will be accepted and opened on July 17, 2013.

Mr. Viator asked if there were any further questions, none were asked. Mr. Viator stated he would entertain a motion.

A motion was made by Mr. Foreman and seconded by Mr. Beard to approve Arceneaux & Gates Consulting Engineers, Inc. Monthly Status Report on Water Well, Elevated Tank, and Transmission Lines Projects, as presented. All voted aye.

See attachments

9. Consideration and possible action of Arceneaux & Gates Consulting Engineers, Inc. monthly invoices: Invoice #13943 in the amount of \$19,220.00 for Water Well #7 Project.

Mr. Viator read the item.

Mr. Viator asked if there were any further questions, none were asked. Mr. Viator stated he would entertain a motion.

A motion was made by Mr. Beard and seconded by Mr. Foreman, to approve the pay request for \$19,220.00, as presented. All voted aye.

See attachments

10. Consideration and possible action on request for payment of Estimate No 3 for Contract No. 2 - Water Well #7 in the amount of \$22,447.40 to T. Johnson Industries, Inc.

Mr. Viator read the item.

Mr. Prosen presented the invoice.

Mr. Viator asked if there were any further questions, none were asked. Mr. Viator stated he would entertain a motion.

A motion was made by Mr. Beard and seconded by Mr. Perkins to approve the pay estimate of \$22,447.40, as presented. All voted aye.

See attachments

11. Consideration and possible action on request from T. Johnson Industries for additional contract time for Contract No. 2 – Water Well #7 in the amount of 90 calendar days.

Mr. Viator read the item.

Mr. Blackman informed the Board the time request is based on the well driller having taken more time in developing the well than anticipated. There is also some responsibility on the District's part, considering the time the District took in researching the pumps to be used on the project. Mr. Blackman recommended approving the request.

Mr. Viator asked if there were any further questions, none were asked. Mr. Viator stated he would entertain a motion.

A motion was made by Mr. Beard and seconded by Mr. Perkins, to approve the request from T. Johnson Industries for additional contract time for Contract No. 2 – Water Well #7 in the amount of 90 calendar days, as presented. All voted aye.

See attachments.

12. Consideration and possible action on request for payment of Estimate No 2 for Contract No. 3 – 500,000 gallon Elevated Storage Tank in the amount of \$228,375.00 to Landmark Structures I, LP.

Mr. Viator read the item.

Mr. Prosen presented this invoice. Mr. Prosen informed the contractors have used 24 % of the time allotted and 23% complete on the contract. Mr. Prosen indicated that the contractor would request a reduction in retainage from 10%, held for the first half of the project, down to 5% for the remainder of the project, once they complete 50% of the project.

Mr. Viator asked if there were any further questions, none were asked. Mr. Viator stated he would entertain a motion.

A motion was made by Mr. Perkins and seconded by Mr. Foreman, to approve request for payment of Estimate No 2 for Contract No. 3 – 500,000 gallon Elevated Storage Tank in the amount of \$228,375.00 to Landmark Structures I, LP., as presented. All voted aye.

See attachments

13. Consideration of approval/amendments to the minutes of the June 17, 2013 regular meeting and June 24, 2013 special meeting.

Mr. Viator read the item.

Mr. Viator asked if there were any further questions, none were asked. Mr. Viator stated he would entertain a motion.

A motion was made by Mr. Foreman and seconded by Mr. Beard to approve, approval/amendments to the minutes of the June 17, 2013 regular meeting and June 24, 2013 special meeting as presented. All voted aye.

See attachments

14. Consideration of General Manager's monthly status and financial report.

Mr. Viator read the item.

Mr. Blackman presented his report, and the financial report. Mr. LeJune presented his field and LPSS reports.

Mr. Viator asked if there were any further questions, none were asked. Mr. Viator stated he would entertain a motion.

A motion was made by Mr. Foreman and seconded by Mr. Beard to approve the General Manager's status and financial report, as presented. All voted aye.

See attachments

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

Mr. Viator read the item.

Mr. Viator asked if there were any further questions, none were asked. Mr. Viator stated he would entertain a motion.


A motion was made by Mr. Perkins and seconded by Mr. Foreman to approve payment of District bills, as presented. All voted aye.

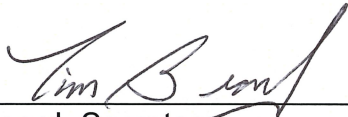
See attachments

16. Adjournment.

Mr. Viator stated he would entertain a motion.

A motion was made by Mr. Perkins and seconded by Mr. Beard to adjourn the meeting. All voted aye. Meeting adjourned at 7:20 P.M.

  
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Robert Viator, President

  
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Tim Beard, Secretary