



## Meeting Minutes

September 16, 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..... Director

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

Others present: Larry Hunter, Provost Umphrey Law Firm; Toby Davis and Jeff Scogin, Carroll & Blackman 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

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

### INVOCATION & PLEDGE OF ALLEGIANCE

Percy Foreman offered the invocation, and Billy Perkins led the pledges.

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### MEETING AGENDA

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1. Consideration Public Hearing regarding tax rate for 2013.  
Mr. Viator called the Public Hearing to order. No citizens were in attendance. All voted aye.

A motion was made by Mr. Beard and seconded by Mr. Inzer to close the Public Hearing at 5:40 P.M.

2. Citizen comments.  
No citizens in attendance.
3. Consideration of Carroll & Blackman, Inc.'s Monthly Status Report concerning ongoing District projects.

Mr. Viator read the agenda item

Mr. Davis informed the Board that Phillip Hotzen was no longer with Carroll & Blackman, Inc.; he had a job offer closer to his hometown and had taken advantage of the opportunity.

Mr. Davis presented the progress photos for Contract A, Wastewater Treatment Plant.

Mr. Scogin presented the progress photos regarding Contract B, Cloverleaf & Tiger Lake lift stations and the Forcemains. The boring crew hit a fiber optic line at the Union Pacific Railroad bore site. Mr. Blackman informed the Board that if the construction crew has to pay restitution, the District holds the permit with the railroad, and the charges might be sent to the District. There are no indications the contractors are trying to avoid taking responsibility in the situation. The contractors are required to have insurance. At this time no one has an idea of the cost.

Mr. Scogin presented the progress maps regarding Contract C, the Sewer Rehabilitation Project. Prior to replacing the lines, there is crew that is TVing all the lines that are being replaced. The crew has moved in and started rehab quicker than any other contractor in the past. The streets that we deemed as priority have been addressed quickly. The District and the contractors have met to address some small modifications to the original specifications. The District is confident that these changes will be followed by the construction crew.

Mr. Viator asked if there were any further questions. No questions were asked. Mr. Viator called for a motion.

A motion was made by Mr. Inzer and seconded by Mr. Foreman to approve Carroll & Blackman, Inc.'s Monthly Status Report concerning ongoing District projects, as presented. All voted aye. See attachments.

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

Invoice #20204 for Contract A – Wastewater Treatment Plant in the amount of \$1,550.00; Invoice #20205 for Contract B – Cloverleaf and Tiger Lake Lift Station/Force Main in the amount of \$25,010.00; Invoice #20206 – Contract C – Sanitary Sewer Collection System Rehabilitation in the amount of \$19,274.00, for the Grand Total of **\$45,834.00**.

Mr. Viator read the agenda item.

Mr. Davis and Mr. Scogin presented the invoices.

Mr. Viator called for a motion, if there were no questions.

A motion was made by Mr. Foreman and seconded by Mr. Inzer to approve the Invoice #20204 for Contract A – Wastewater Treatment Plant in the amount of \$1,550.00; Invoice #20205 for Contract B – Cloverleaf and Tiger Lake Lift Station/Force Main in the amount of \$25,010.00; Invoice #20206 – Contract C – Sanitary Sewer Collection System Rehabilitation in the amount of \$19,274.00, for the Grand Total of **\$45,834.00**, as presented. All voted aye. See attachments.

5. Consideration and possible action on request for payment on Estimate #34 from Allco, Ltd., in the amount of \$122,527.37 for Construction Contract TWDB No. 72129-SRF-3358-02 – Contract A Wastewater Treatment Plant.

Mr. Viator read the agenda item.

Mr. Davis presented this invoice. He brought the Board up to date on progress completed and reflected in the invoice in the past month.

Mr. Blackman informed the Board that Allco, Ltd. is over their allotted time on the contract. The project is substantially complete. The dewatering portion of the project is not complete, but if we were to receive the flow from Cloverleaf and Tiger Lake today, the plant could treat the wastewater. Mr. Inzer asked if we had sustained any damages with the project going over the time allotted. Mr. Blackman answered that no damages to this date.

Mr. Viator called for a motion, if there were no more questions.

A motion was made by Mr. Inzer and seconded by Mr. Perkins to approve the request for payment on Estimate #34 from Allco, Ltd., in the amount of \$122,527.37 for Construction Contract TWDB No. 72129-SRF-3358-02 – Contract A Wastewater Treatment Plant, as presented. All voted aye. See attachments.

6. Consideration and possible action to approve or ratify Change Order No. 3 for the new generators in the amount of \$172,247.43 to Contract TWDB No. 72129-SRF-3358-02 – Contract B - Cloverleaf & Tiger Lake Lift Stations and Force Mains.

Mr. Viator read the agenda item.

Mr. Blackman explained to the Board that they had approved this Change Order up to \$170,000.00. In meeting with Allco representatives the lowest number that could be negotiated was \$172,247.43. Mr. Blackman polled the directors to get verbal approval of accepting that amount. Mr. Blackman went into further explanation that this item is to approve the new amount of the change order.

Mr. Viator called for a motion, if there were no more questions.

A motion was made by Mr. Beard and seconded by Mr. Inzer to approve and ratify Change Order No. 3 for the new generators in the amount of \$172,247.43 to Contract TWDB No. 72129-SRF-3358-02 – Contract B - Cloverleaf & Tiger Lake Lift Stations and Force Mains, as presented. All voted aye. See attachments.

7. Consideration and possible action regarding electrical modifications, required by Entergy, to Contract B – Cloverleaf and Tiger Lake Lift Station/Force Main. The cost of this change order is unknown at this time.

Mr. Viator read the agenda item.

Mr. Blackman informed the Board that due to Entergy requirements there will be a charge associated with the electrical modifications at Cloverleaf Lift Station. These modifications will need to be addressed before the next Board meeting. Mr. Blackman was in hopes the Board would authorize him to complete these changes.

Mr. Viator called for a motion, if there were no further questions.

A motion was made by Mr. Beard and seconded by Mr. Perkins to approve authorizing Norman Blackman to oversee electrical modifications, required by Entergy, to Contract B – Cloverleaf and Tiger Lake Lift Station/Force Main, with a monetary limit of \$5,000.00. All voted aye. See attachments.

8. Consideration of request for payment on Estimate # 11 from Allco, Ltd., in the amount of \$182,837.45 for Construction Contract TWDB No. 72129-SRF-3358-02 – Contract B - Cloverleaf & Tiger Lake Lift Stations and Force Mains.

Mr. Viator read the agenda item.

Mr. Viator called for a motion, if there were no further questions.

A motion was made by Mr. Inzer and seconded by Mr. Foreman to approve the payment on Estimate # 11 from Allco, Ltd., in the amount of \$182,837.45 for Construction Contract TWDB No. 72129-SRF-3358-02 – Contract B - Cloverleaf & Tiger Lake Lift Stations and Force Mains, as presented. All voted aye. See attachments.

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

Mr. Viator read the agenda item.

Mr. Viator asked why Mr. Prosen was not in attendance. Mr. Blackman was not positive where he was, but vaguely recalled speaking with him.

Mr. Viator recommended, due to Mr. Prosen's absence, the next 4 agenda items not be considered. He suggested the Board table the items for the next meeting.

Mr. Viator called for a motion.

A motion was made by Mr. Foreman and seconded by Mr. Beard to table items 9 through 12. All voted aye.

10. Consideration and possible action of Arceneaux & Gates Consulting Engineers, Inc. monthly invoices: Invoice # in the amount of \$15,650.00 for Water Well #7 Project.
11. Consideration and possible action on request for payment of Estimate No 5 for Contract No. 2 - Water Well #7 in the amount of \$53,556.92 to T. Johnson Industries, Inc.
12. Consideration and possible action on request for payment of Estimate No 4 for Contract No. 3 - 500,000 gallon Elevated Storage Tank, in the amount of \$236,250.00 to Landmark Structures LLP.
13. Consideration of approval/amendments to the minutes of the July 31, 2013 special meeting, and the August 19, 2013 regular meeting.

Mr. Viator called for a motion.

A motion was made by Mr. Beard and seconded by Mr. Inzer to approve the minutes of the July 31, 2013 special meeting, and the August 19, 2013 regular meeting, as presented. All voted aye.

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

Mr. Blackman, Ms. Serres, and Mr. LeJune presented the General Manager's monthly status and financial report.

Mr. Blackman informed the Board he did not have a handout, as he normally did, he was out of town all of last week. He briefed the Board on the training session that he, David LeJune, Ray Ackley, and Stephen LeJune had attended at the Aeromod headquarters in Kansas. Mr. Blackman informed the Board that we were in need of an audit committee.

Mr. Viator called for volunteers to serve on the audit committee. Mr. Foreman and Inzer offered their services. Mr. Hunter informed the Board that they could ratify the committee at the next meeting.

Ms. Serres presented the financial reports. Mr. Foreman voiced his displeasure at the July billing. This billing was for an extended timeframe. Mr. Foreman stated that the water District needed to address this problem and not let it happen again.

Mr. LeJune presented the Field and LPSS reports. A few of the Board members commented on the LPSS report.

Mr. Viator asked the Board for any further questions. No questions were asked. Mr. Viator called for a motion.

Mr. Viator called for a motion, if there were no more questions.

A motion was made by Mr. Inzer and seconded by Mr. Beard to approve the General Manager's monthly 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 agenda item

Mr. Viator called for a motion, if there were no questions.

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

16. Consideration of adopting 2013 tax rate as presented by Lynda Gunstream, Orange County Tax Assessor-Collector.

Mr. Viator read the agenda item. Mr. Viator informed the Board the tax rate was less than the past year.

Mr. Viator called for a motion, if there were no questions.

A motion was made by Mr. Perkins and seconded by Frank Inzer to adopt the 2013 tax rate, .041962 per hundred dollar value, as presented by Lynda Gunstream, Orange County Tax Assessor-Collector. All voted aye. See attachments.

17. Consideration and possible action to ratify Norman Blackman, General Manager District, signing the 2009 Sanitary Sewer Improvements Orange County Water Control & Improvement District No. 1 TWDB No. 72129-SRF-3358-02, Contract C, Sanitary Sewer Collection System Rehabilitation.

Mr. Viator read the agenda item. Mr. Viator asked what this item was in reference to.


Mr. Blackman informed the Board that normally Construction contracts were set up for the Board President and Secretary to sign. This one was set up for the General Manager to sign. The contract is signed, and in progress, so this is just to ratify Mr. Blackman's signature on this contract.


Mr. Viator called for a motion, if there were no questions.

A motion was made by Mr. Beard and seconded by Mr. Inzer to approve action to ratify Norman Blackman, General Manager District, signing the 2009 Sanitary Sewer Improvements Orange County Water Control & Improvement District No. 1 TWDB No. 72129-SRF-3358-02, Contract C, Sanitary Sewer Collection System Rehabilitation. All voted aye. See attachments.

18. Adjournment.

A motion was made by Mr. Perkins and seconded by Mr. Inzer to adjourn the meeting. All voted aye. Meeting adjourned at 6:50 P.M.

  
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Robert Viator, President

  
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Tim Beard, Secretary