



## Meeting Minutes

October 21, 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; Calvin Prosen, Arceneaux & Gates Consulting Engineers Inc.; Charles Reed, Reed and Associates, George Garza, Vidor Vidorian; Ernest Bayard, Citizen

*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

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

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### MEETING AGENDA

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1. Citizen comments.

George Garza addressed the Board and asked that they consider changing the date of the District's monthly meeting. Mr. Garza presented a calendar of meeting dates regarding other county and city governmental entities.

The Board will consider Mr. Garza's request.

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

Mr. Viator read the agenda item.

Mr. Davis presented the photos reflecting Contract A progress. Allco, Ltd. is over the allotted time for the project. The contractor is nearing the end of the project. Demolition of the old plant site is not completed. The pavement and cleanup are still left to be done, after demolition work is over. Mr. Davis reported that the natural gas line is complete, and will be tested soon, by starting the four generators on the project.

Mr. Scogin presented the progress maps regarding Contracts B & C. The map on Contract C showed both the Union Pacific and the Kansas City Southern Railroad Track crossings were complete. The crossing under IH 10 will be the next undertaking by the contractors. The contractors are locating the fiber optic lines, on the south side of IH 10, before they proceed with the bore.

The map addressing Contract C gave the Board an overall view of the lines that the contractors had repaired, using the pipe bursting method of rehab. This map also shows the large area included in the scope of this project.

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. Beard and seconded by Mr. Inzer to approve Carroll & Blackman, Inc.'s Monthly Status Report concerning ongoing District projects, 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 #20309 for Contract B – Cloverleaf and Tiger Lake Lift Station/Force Main in the amount of \$11,460.00; Invoice #20310 – Contract C – Sanitary Sewer Collection System Rehabilitation in the amount of \$20,869.00; for a Grand Total of **\$32,329.00**

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. Inzer and seconded by Mr. Perkins to approve the Invoice #20309 for Contract B – Cloverleaf and Tiger Lake Lift Station/Force Main in the amount of \$11,460.00; Invoice #20310 – Contract C – Sanitary Sewer Collection System Rehabilitation in the amount of \$20,869.00; for a Grand Total of **\$32,329.00** as presented. All voted aye. See attachments.

4. Consideration and possible action on request for payment on Estimate #35 from Allco, Ltd., in the amount of \$126,173.55 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 costs reflected in the invoice.

Mr. Blackman informed the Board that Allco, Ltd. is over their allotted time on the contract. The project is substantially complete. If we were to receive the flow from Cloverleaf and Tiger Lake today, the plant could treat the wastewater

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

A motion was made by Mr. Inzer and seconded by Mr. Foreman to approve the request for payment on Estimate #35 from Allco, Ltd., in the amount of \$126,173.55 for Construction Contract TWDB No. 72129-SRF-3358-02 – Contract A Wastewater Treatment Plant, as presented. All voted aye. See attachments.

5. Consideration of request for payment on Estimate # 12 from Allco, Ltd., in the amount of \$354,017.45 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. Foreman and seconded by Mr. Inzer to approve the payment on Estimate # 12 from Allco, Ltd., in the amount of \$354,017.57 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.

6. Consideration of request for payment on Estimate #1 from T. Construction, LLC, in the amount of \$519,885.76 for Construction Contract TWDB No 72129-SRF-3358-02 – Contract C – Sanitary Sewer Rehabilitation Project.

Mr. Viator read the agenda item, and asked if the work represented by the invoice had been completed. Both Mr. Blackman and Mr. Scogin assured the Board the work was completed and the project was going well.

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

A motion was made by Mr. Inzer and seconded by Mr. Beard to approve the request for payment on Estimate #1 from T. Construction, LLC, in the amount of \$519,885.76 for Construction Contract TWDB No 72129-SRF-3358-02 – Contract C – Sanitary Sewer Rehabilitation Project, as presented. All voted aye. See attachments.

7. Consideration of Change Order No. 4, in the contract with Allco, Ltd., for the TWDB No. 72129 – SRF No. 3358-02 Contract B, Cloverleaf & Tiger Lake Lift Stations and Force Mains. The previous contract amount was \$4,839,847.75. The proposed reduction is \$28,335.00, and this brings the new contract amount to 4,811,512.75. Mr. Viator read the agenda item.

Mr. Blackman explained the bore would be constructed with a casing, creating a decrease in the total contract price.

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 Change Order No. 4, in the contract with Allco, Ltd., for the TWDB No. 72129 – SRF No. 3358-02 Contract B, Cloverleaf & Tiger Lake Lift Stations and Force Mains. Previous contract price was \$4,839,847.75, the proposed reduction is \$28,335.00, this brings the new contract amount to 4,811,512.75. All voted aye. See attachment.

8. 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. Prosen reported the test well will be plugged this coming week.

Mr. Prosen reported the elevated tank will be raised around the 1<sup>st</sup> part of 2014. Arceneaux & Gates Consulting Engineers, Inc. will host a “tank raising party”.

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 Arceneaux & Gates Consulting Engineers, Inc. Monthly Status Report on Water Well, Elevated Tank, and Transmission Lines Projects. All voted aye.

9. Consideration and possible action of Arceneaux & Gates Consulting Engineers, Inc. monthly invoices for September, 2013 and August, 2013. Invoice #14060 in the amount of \$20,050.00, and Invoice#14020 in the amount of \$15,650.00 for Water Well #7 Project.

Mr. Viator read the item, and asked if all this work had been completed. Mr. Blackman stated that they have been taking real good care of us.

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

A motion was made by Mr. Inzer and seconded by Mr. Perkins to approve Arceneaux & Gates Consulting Engineers, Inc. monthly invoices for September, 2013 and August, 2013. Invoice #14060 in the amount of \$20,050.00, and Invoice#14020 in the amount of \$15,650.00 for Water Well #7 Project, as presented. All voted aye. See attachment.

10. Consideration and possible action on request for payment of Estimate No 6 for Contract No. 2 - Water Well #7 in the amount of \$64,425.90 to T. Johnson Industries, Inc.

Mr. Viator read the item.

Mr. Prosen presented the invoice

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. Inzer and seconded by Mr. Foreman, to approve the request for Estimate No 6 for Contract No. 2 - Water Well #7 in the amount of \$64,425.90 to T. Johnson Industries, Inc. All voted aye. See attachments.

11. Consideration and possible action on request for payment of Estimate No 14 for Contract No. 5 – Water Line Extension (FM 1132/Hwy 12) in the amount of \$154,308.08 to McInnis Construction.

Mr. Viator read the item.

Mr. Prosen presented the invoice. The invoice represented the mobilization and materials on hand.

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. Inzer to approve the request for payment of Estimate No 14 for Contract No. 5 – Water Line Extension (FM 1132/Hwy 12) in the amount of \$154,308.08 to McInnis Construction, as presented. All voted aye.

12. Consideration of and possible action to approve the 2012-2013 Audit for Orange County Water Control & Improvement District No. 1, and to raise the asset capitalization threshold from \$3,000 to \$7,500.

Mr. Viator read the item.

Mr. Reed presented the audit to the Board. Mr. Reed was questioned regarding the request to change the asset capitalization amount. He explained to the Board that this change would be beneficial to simplifying the depreciation schedule. Items bought at a price less than \$7,500 will not be added to the schedule. Mr. Blackman stated that the prior threshold amount had been set by Board action and had to be changed by Board action.

Mr. Reed continued to present the audit to the Board.

A motion was made by Mr. Foreman and seconded by Mr. Inzer to approve the 2012-2013 Audit for Orange County Water Control & Improvement District No. 1, and to raise the asset capitalization threshold from \$3,000 to \$7,500, as presented. All voted aye.

13. Consideration of approval/amendments to the minutes of the September 16, 2013 regular meeting.

Mr. Viator read the item.

Mr. Viator called for a motion.

A motion was made by Mr. Perkins and seconded by Mr. Beard to approve the minutes of the September 16, 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 that there was a resident that has paid taxes since 1998, and is not served with water or sewer. This address is in the area of Caney Creek Road. This information is only to inform the Board, the customer has not formally requested service, so the District will not expend energy or dollars at this point. Mr. Blackman went on with his report regarding the GIS system, informing the Board that a number of the staff had met with Carroll & Blackman's in house expert on GIS. The staff can identify many ways the GIS would enhance running the District, on a day to day basis. Mr. Blackman explained to the Board that the District has many volumes of books full of valve locations, maps, locations of water and sewer lines, etc., stored next door. To make use of this information entails someone from the crew to come back to the office, locate and make copies of the pertinent information needed in the field, and, drive back to the location. Having GIS available on a laptop or tablet, for field personnel to access, would expedite our accuracy and

require less time searching for information. Mr. Viator and Mr. Perkins voiced concerns with the cost of such a system, and the necessity. They asked if the City would use this system, and if the City would be willing to shoulder some of the costs associated with creating the GIS. Mr. Beard asked if the cost was close to \$40,000 per year, Mr. Blackman stated that it was according what was included as to the cost per year. Mr. Blackman stated that something had to be done with the mapping system currently in place. Mr. Inzer asked if you could put a cost savings to the GIS, Mr. Blackman stated that it was hard to put an accurate cost savings. Mr. Inzer pointed out that the benefits would be valuable to future staff. Currently the District's employees, with many years of service, are David LeJune and David Carpenter. Their combined years of knowledge, regarding the structure and location of components to the water and sewer systems, is extremely crucial in running the District smoothly. Mr. Inzer pointed out that once these gentlemen retire, the District will lose the hands on knowledge they possess. Mr. Blackman stated that the GIS would be helpful when the District wants to calculate the cost of installing new lines. The system is capable of measuring distances and will have the water and sewer lines over laying the maps, to make it easier to put a price to a proposed expansion. Mr. Viator asked is there is anything else out there, besides GIS. Mr. Blackman informed him that you can still upload the maps into an auto cad system, which would be very costly, also. When using auto cad, you are still dealing with a mapping system. Mr. Blackman will bring it back to the Board when he has a better idea of the cost and what the benefits to the District will be.

Mr. Blackman informed the Board that the Contingency and the Special Projects Accounts will become a separate fund, taking it out of the General Fund.

The Board discussed the request of George Garza to change the District's meeting night, so that it did not coincide with the VISD School Board reports. Mr. Inzer has a conflict on changing the meetings to Tuesday. Mr. Inzer will look at his calendar and see if he is able to re-schedule. The Board will discuss this matter at a future meeting.

Ms. Serres presented the financial reports. Ms. Serres concluded her presentation and asked if there were any questions.

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. Foreman and seconded by Mr. Inzer 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. Beard to approve payment of District's monthly bills, as presented. All voted aye. See attachments.

16. Consideration of and possible action to approve the 2013 Assessed Tax Roll, in the amount of \$1,721,487.55, for the Orange County Water Control and Improvement District No. 1, as certified and submitted by Lynda Gunstream, Orange County Tax Assessor/Collector.

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 Frank Inzer to adopt the 2013 Assessed Tax Roll, in the amount of \$1,721,487.55, for the Orange County Water Control and Improvement District No. 1, as certified and submitted by Lynda Gunstream, Orange County Tax Assessor/Collector, as presented. All voted aye. See attachments.

17. Consideration of and possible action to approve the 2013 Delinquent Tax Roll, in the amount of \$361,385.82, for the Orange County Water Control and Improvement District No. 1, as certified and submitted by Lynda Gunstream, Orange County Tax Assessor/Collector.

Mr. Viator read the agenda item.

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

A motion was made by Mr. Foreman and seconded by Mr. Beard to approve the 2013 Delinquent Tax Roll, in the amount of \$361,385.825, for the Orange County Water Control and Improvement District No. 1, as certified and submitted by Lynda Gunstream, Orange County Tax Assessor/Collector, as presented. All voted aye. See attachments.

18. Consideration of and possible action regarding approval for Orange County Water Control & Improvement District No. 1 to participate with the City of Vidor on an application for infrastructure improvements funds that may become available relating to the BP oil spill and clean-up, including participation in the legal costs necessary for such application.

Mr. Viator read the agenda item.

Mr. Blackman presented this agenda item. Mr. Blackman was contacted by Mike Kunst, the City Manager of City of Vidor to discuss money that is being made available by British Petroleum to cities in Orange, Jefferson, Chambers and Galveston, the coast counties of Texas most closely affected by the BP spill. The legal fees are estimated to be approximately \$4,000 per month, for a period of 12 to 18 months. This amount will be split between the entities seeking funds in Orange County. The County Judge is not taking an active position in pursuing this money, so the City Manager of Orange, Shaun Oubre, is heading up the County's quest for funding. The amount the District would be required to pay would some portion of \$476.00, per month, pledged by the City of Vidor.

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

A motion was made by Mr. Perkins and seconded by Mr. Inzer to table the item to gather legal research from the District's attorney, Mr. Hunter. All voted aye.

A motion by Mr. Beard and seconded by Mr. Foreman to adjourn the regular meeting. All voted aye. 8:45 P.M.

19. EXECUTIVE SESSION: Discussion of personnel matters in closed session, as provided under Section 551.071 of the Texas Government Code.

20. Adjournment.

A motion was made by Mr. Perkins and seconded by Mr. Inzer to adjourn the meeting. All voted aye. Meeting adjourned at 9:10 P.M.

  
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 Robert Viator, President

  
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 Tim Beard, Secretary