



Port O' Connor Improvement District

P.O. Box 375 * Port O' Connor, Texas 77982

Minutes

Thursday, July 21, 2022 1:00 pm

Regular Board Meeting

The Board of Directors of the Port O' Connor Improvement District held a Regular Board Meeting on **Thursday, July 21, 2022 at 1:00 p.m.** at the District Office, 39 Denman Drive, Port O' Connor, Texas.

A. CALL TO ORDER

President Danny McGuire called the meeting to order at 1:00 p.m. and established that a quorum was present and welcomed everyone.

DIRECTORS PRESENT: Danny McGuire, John Childers, Victor Mozisek and Nathan O'Neill.

DIRECTORS ABSENT: Mike Clifton

ALSO PRESENT: Oscar Pena, Kim Stafford, Donna Grafe-Tucker (General Counsel), Bill Kotlan (District Engineer), Donald Goldman (District Bookkeeper), Phillip Givens (General Manager) and Eddie Kirt (Kirt Engineering).

ALSO PRESENT BY PHONE: Whitney Higgins (ABHR)

MEMBERS OF THE PUBLIC PRESENT: Scott Brown, Chip Miles and Anita Thaker Scroggins(VCS)

B. PUBLIC COMMENT WELCOME

C. ITEMS FOR CONSIDERATION AND TAKE APPROPRIATE ACTION IF NEEDED:

1. Rawley McCoy – Building Update
Discussion, no action.
2. Proposal for Undine regarding water supply proposal
Discussion, no action.
3. B & A Municipal Tax Service
Discussion, no action.
4. Investment Report
Discussion, no action.

5. Planned maintenance & annual service agreement for 2 new generators at the Sanctuary from Loftin
Motion: John Childers
Second: Nathan O'Neill
To accept the proposal from Loftin for the generators annual service agreement for \$6,690.
Motion Approved: 4-0
6. Ground water District permits and application
Discussion, no action.
7. Annexation including county property and private property
Motion: Nathan O'Neill
Second: John Childers
To accept the petitions for annexation from POCID and Calhoun County.
Motion Approved: 4-0
8. Well sites including easements from Calhoun County
Motion: John Childers
Second: Nathan O'Neill
To authorize BGE to complete the well site surveys and established sanitary easement around the well sites.
Motion Approved: 4-0
9. Adopt Resolution Expressing intent to reimburse
Motion: John Childers
Second: Victor Mozisek
To adopt a resolution expressing intent to reimburse up to a half million dollars for work related to the newly authorized band projects.
Motion Approved: 4-0
10. 2022 November Director Election Items
 - a. Adopt Resolution Designating an Agent of the Secretary of the Board of Directors During the 2022 Board of Directors Election Period;
 - b. Authorize Notice of Deadline to File Applications for Place on the Ballot;
 - c. Approve contract for election services with Calhoun County;
 - d. Adopt Order Calling Directors Election;
 - e. Authorize Notice of Election; and
 - f. Authorize posting of early voting and election day roster

Elección de Directores de 2022, incluyendo:

- a. Adoptar una Resolución Designando un Agente del Secretario de la Junta Directiva Durante el Período de la Elección de la Junta Directiva de 2022;
- b. Autorizar el Aviso de Fecha Límite para Presentar una Solicitud de un Lugar en la Boleta;
- c. Aprobar el contrato de servicios electorales con el Condado de (fill in county name in English);
- d. Adoptar una Orden Para Convocar una Elección de Directores
- e. Autorizar el Aviso de Elección; y
- f. Aceptar el Certificado que Declara el Estatus de Candidatos Sin Oponentes Para la Elección de la Junta Directiva;

Motion: John Childers

Second: Victor Mozisek

To approve the 2022 November Election items appointing Kim Stafford as Agent of the Secretary of the Board of Directors, authorize notices and posting of early election day rosters, approving contract with Calhoun County and adopting Order calling.

Motion Approved: 4-0

11. Sourcewell Contract

Motion: John Childers

Second: Victor Mozisek

To approve the Sourcewell Contract.

Motion Approved: 4-0

12. Leasing Agreement for grazing

Motion: Victor Mozisek

Second: John Childers

To lease District property for grazing & to run an ad in Port Lavaca Wave advertising leasing opportunity.

Motion Approved: 4-0

13 Pursue legal action regarding past due accounts

Motion: John Childers

Second: Victor Mozisek

To authorize General Counsel to file with JP Court anything less than 4 years in arrears.

Motion Approved: 4-0

14 Adopt 2022/2023 Budget

Motion: John Childers

Second: Victor Mozisek

To adopt the proposed 2022/2023 Budget.

Motion Approved: 4-0

15. Approve engineering proposal and authorize preparation of bond application no. 3

Discussion, no action.

16. Update on Development Status

Motion: Victor Mozisek

Second: John Childers

To adopt "Developing District" status & authorize execution of resolution.

Motion Approved: 4-0

17. Auditor Proposal for 2022/2023 Audit

Motion: Victor Mozisek

Second: John Childers

To approve McCall Gibson Swedlund Barefoot, PLLC Audit Proposal for 2022/2023 Audit.

Motion Approved: 4-0

18. District Manager Evaluation

Motion: John Childers

Second: Nathan O'Neill

To approve a 10% salary increase for District Manager Oscar Pena.

Motion Approved: 4-0

19. Ham Radio Antennae to Tower – Scott Brown

Motion: John Childers

Second: Victor Mozisek

To approve antennas on both towers upon District Councils creation of a lease & execution of same.

Motion Approved: 4-0

20. Bancorp – New Bank Signature Cards

Motion: John Childers

Second: Nathan O'Neill

To approve new signature cards for Bancorp replacing Victor Mozisek for David Randolph

Motion Approved: 4-0

21. Letter to Phone Carriers due to lack of service

Motion: John Childers

Second: Victor Mozisek

Authorize District Counsel to draft letter on behalf of District.

Motion Approved: 4-0

22. Presentation & discussion on enhanced public communications

Motion: Nathan O'Neill

Second: Victor Mozisek

To authorize VCS to explore a test run of the proposed communication system.

Motion Approved: 4-0

D. CONSENT AGENDA: *The following items are anticipated to require little or no individualized discussion due to their nature being clerical, ministerial, mundane or routine. In an effort to enhance the efficiency of POCID Board meetings, it is intended that these items will be acted upon by the POCID Board with a single motion because no public hearing or determination is necessary. However, a POCID Board Member or citizen may request separate deliberation for a specific item, in which event those items will be removed from the consent agenda prior to the POCID Board voting on the consent agenda as a collective, singular item. Prior to voting on the consent agenda, the POCID Board may add additional items that are listed elsewhere on the same agenda.*

1. APPROVAL OF MINUTES

- A. May 23, 2022 – Regular Board Meeting

2. APPROVAL OF PAYABLES

- A. Port O'Connor Improvement District – Payables

- B. Defined Area – Payables

- C. Pay Request #9 – 2021 Water & Sewer Improvement Project – Lester Contracting, Inc

- D. Pay Request #1 – GST Rehabilitation – N.G. Painting

Motion: John Childers

Second: Nathan O'Neill

To approve all minutes & payables on the consent agenda.

Motion Approved: 4-0

E. Goldman, Hunt & Notz, Donald Goldman

- A. Financial Reports
- B. Prosperity Bank Investment Report
- C. CCAD Ad Valorem Tax Report
- D. Defined Area Financial Report
- E. Due from/Due to Report

F. Report from BGE, Bill Kotlan

Consider & take appropriate action on:

- A. Customer Service Line Smoke Testing
- B. 2015 TWDB D-Fund
- C. 2018 Bond Projects
- D. 2021 Bond Projects – Approval of study to evaluate 750gpm well
- E. Future Bond Authorization

G. Report of General Manager, Phillip Givens

Consider & take appropriate action on:

- A. SB3 in the 87th Legislature & Texas Water Code 13.1396
- B. Cash Flow Forecast
- C. EVO Report & 10 Year Budget
- D. TWDB DWSRF Application
- E. In-House Engineer Update

H. Report of District Manager, Oscar Pena

Consider & take appropriate action on:

- A. District Status
- B. Work in Progress
- C. Water Production Report
- D. Administrative
- E. Purchases

I. **EXECUTIVE SESSION******

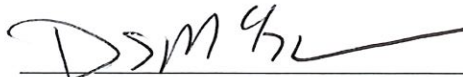
The Port O'Connor Improvement District may consider in Executive Session any of the identified items posted on the agenda pursuant to the following exceptions:

- Texas Government Code Ann. § 551.071: Consultation with Attorney
- Texas Government Code Ann. § 551.072: Real Property
- Texas Government Code Ann. § 551.074: Personnel Matters

The POCID Board went into Executive Session at 3:00 p.m. and came out of Executive Session at 3:18 p.m.

The meeting adjourned at 3:28 p.m.

Respectfully submitted,



Danny McGuire, President



Nathan O'Neill, Secretary

Signed this 18 day of August, 2022.

These minutes were approved on August 18, 2022

CERTIFIED AGENDA
An Executive Session of the
Board of Directors
PORT O'CONNOR IMPROVEMENT DISTRICT
Date of Meeting: July 21, 2022

1. The Board of Directors convened an open Board of Directors meeting at 1:00 p.m.
2. The Board of Directors, pursuant to an announcement made by the Presiding Officer, then convened into Executive Session, closed to the public, at 3:00 p.m.
3. Those present in the executive session were (*circle those present*):

Board Member: Danny McGuire President
Board Member: Mike Clifton, Vice President
Board Member: Nathan O'Neill, Secretary
Board Member: John Childers, Director
Board Member: David Randolph, Director
Others: (*list by name and position*):

4. The executive session included the following agenda items: (*attach agenda*)

18 District Manager Evaluation

5. The executive session was pursuant to Texas Government Code §§ 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076, (Deliberations about Security Devices), and 551.086 (Economic Development) (*circle one or more*).
6. The Presiding Officer announced the end of the executive session at 3:18 p.m., and the Board of Directors reconvened in open session at that time.
7. No further action was taken by the Board of Directors.

CERTIFICATION

I hereby certify that this Agenda of an Executive Session of the Board of Directors of Port O'Connor Improvement District is a true and correct record of the proceedings pursuant to Tex. Gov't Code § 551.103.

Witness my hand this the 18
21 day of July, 2022.

Presiding Officer

By: DSM/b
Printed Name: DANNY MCGUIRE
Title: PRESIDENT