

**PORT O'CONNOR IMPROVEMENT DISTRICT**  
**P.O. BOX 375**  
**PORT O'CONNOR, TX 77982**

Pursuant to notice duly posted on March 10, 2017, a **REGULAR** meeting of the Port O'Connor Improvement District was called to order on Thursday, March 16, 2017 at 6:30 p.m. in the District's office located at 39 Denman Drive, Port O'Connor, Texas.

**CALL TO ORDER**

President Leon Brown called the meeting to order and established that a quorum was present and welcomed everyone.

**DIRECTORS PRESENT:** Leon Brown, Nathan O'Neill, Allen Juneke, Joe Newsome and Marshall Bradford

**DIRECTORS ABSENT:** None

**ALSO PRESENT:** Kim Stafford, USW Utility Personnel  
Dottie Palumbo, Bojorquez Law Firm  
Jody Weaver, G&W Engineers  
Darron Gann, G&W Engineers  
Gene Chisum, USW Utility Group  
Ron Kettelman, USW Utility Group  
Chad Sillers, USW Utility Group  
Corey Bostick, USW Utility Group

**MEMBERS OF THE PUBLIC PRESENT:**

Bobby & Susan Raybon, and Dennis Thomas

**PUBLIC COMMENT:**

Susan Raybon spoke that she was disappointed in the Board. She said not one person had contacted her about the information she gave them at the last Regular Board Meeting.

**APPROVAL OF MINUTES:**

1. Minutes of Regular Meeting February 13, 2017

Postponed due an error on the date.

2. Minutes of Special Meeting February 20, 2017

**MOTION:** Nathan O'Neill

**SECOND:** Marshall Bradford

To accept the minutes from the February 20, 2017 special meeting.

Motion approved: 5-0

**APPROVAL OF PAYABLES:**

**PORT O'CONNOR IMPROVEMENT DISTRICT**

**MOTION:** Marshall Bradford

**SECOND:** Joe Newsome

To approve payables for Port O'Connor Improvement District.

Motion Approved: 5-0

**DEFINED AREA #1**

**MOTION:** Marshall Bradford

**SECOND:** Nathan O'Neill

To approve payables for Defined Area #1.

Motion Approved: 5-0

**REIMBURSE LASALLE FOR CREDIT CARD PAYMENTS**

Postponed till March 31<sup>st</sup> Meeting

**REPORTS AND RELATED ITEMS FOR CONSIDERATION**

**DISTRICT STATUS:**

Gene Chisum introduced Chad Sillers & Corey Bostick. Corey Bostick presented the Project Managers report. Marshall brought up that the Homeland Security Form had the wrong address. Corey said he would check into it and report back next week. Corey said he was going to look into some pricing for ventilation. Corey will look at Vacuum Station 2 and see if the panels can be closed.

Purchase or repair of Water Plant Booster Pump motor

**MOTION:** Nathan O'Neill

**SECOND:** Marshall Bradford

To purchase a new motor for the water plant booster pump not to exceed \$4900 from CD Electric.

Motion: 5-0

Work Authorization Request for Public Information Request

**MOTION:** Leon Brown

**SECOND:** Marshall Bradford

To have General Counsel contact USW Utility Group Attorney and verify charges and get back with the Board.

Motion Approved: 5-0

**REPORT OF G&W ENGINEERS**

Jody Weaver presented the District's Engineer's report. Nathan & Jody got together and picked locations for smoke testing. Jody sent them to Gene and he will check to see if any of the issues have been resolved. They will get together and have something together by the next regular meeting.

### **ITEMS FOR CONSIDERATION**

1. Approve a Resolution Reviewing Procedures for Continuing Disclosure Compliance, Making No Changes to the Policy, and Instructing Staff to Fulfill the Financial Reporting Obligations in the Policy. (General Counsel)

**MOTION:** Marshall Bradford

**SECOND:** Nathan O'Neill

To approve a Resolution Reviewing Procedures for Continuing Disclosure Compliance, making No Changes to the Policy, and Instructing Staff to Fulfill the Financial Reporting obligations in the Policy.

Motion Approved: 5-0

2. Review and Approve the District's General Purpose Financial Statements for the Fiscal Year Ended September 30, 2016, audited by Goldman, Hunt & Notz, L.L.P and Direct Staff to file the Audited Financial Statements with the Texas Commission on Environmental Quality. (Auditor)

Postponed till March 23, 2017 special meeting

3. Approve Annual Report and Authorize Filing of Same in Accordance with the District's Continuing Disclosure of Information Agreement and as required by SEC Rule 15c2-12. (General Counsel)

Postponed till March 23, 2017 special meeting

4. Code Red termination of contract (President Brown)

**MOTION:** Marshall Bradford

**SECOND:** Nathan O'Neill

To approve the Code Red termination of contract immediately and authorizing General Counsel to send them a letter

Motion Approved: 5-0

5. Review 2011 Order appointing Kim Stafford as Record Management Officer and USW Utility Group Operations, Maintenance and Customer Services Agreement, dated March 31, 2016 contractual record retention provisions. (General Counsel)

**MOTION:** Marshall Bradford

**SECOND:** Allen Junek

To authorization for General Counsel to contact USW General Counsel on public information, record retention and providing a record management officer.

Motion Approved: 5-0

6. Accept start of One-Year Warranty from Lester Contracting for Segment D of the TWDB Project (Engineer)

Postponed till March 31, 2017 special meeting

7. Approve Pay Request 7 from Lester Contracting for TWDB project (Engineer)

**MOTION:** Nathan O'Neill

**SECOND:** Marshall Bradford

To approve Pay Request 7 from Lester Contracting for TWDB project for \$117,693.36.

Motion Approved: 5-0

8. Review status of Windstorm certification for chloramines building and consider authorizing the installation of storm shutters. (Engineer)

**MOTION:** Nathan O'Neill

**SECOND:** Marshall Bradford

To authorize USW Utility Group to try to get three bids on Windstorm approved buildings to encapsulate the chloramine buildings by the next regular meeting. USW Utility Group

Motion Approved: 5-0

9. G&W's professional service agreement for the TWDB project no. 21750 to include more construction observation/inspection. (Engineer)

Discussion; Postponed till next Regular meeting and G&W is to bring detailed billing and anticipate the future charges.

10. Texas Open Meeting Act/Open Records Act, issues and education at the end after education, including costs from General Counsel. (Director Juneke)

**MOTION:** Leon Brown

**SECOND:** Allen Juneke

To authorize General Counsel to do Open Meeting/Open Records Training with open discussion at no additional charge during the March 31<sup>st</sup> special meeting.

Motion Approved: 5-0

11. Sewer pits, water meters and air valves, locations/elevations (Director Juneke)

**MOTION:** Leon Brown

**SECOND:** Allen Juneke

To approve USW Utility Group and the District Engineer to get together present a written policy with a procedure for sewer pits, water meters and air valves, locations & elevations including policy for driveways.

Motion Approved: 5-0

12. Original Tax Bond, Refunding Bonds and any Bonds voted on by the public (Director JuneK)

Postponed till March 31<sup>st</sup> meeting

13. Authorize the District Manger to send a notice to Sanctuary residents that screening is not required for water or sewer utilities. (General Counsel)

**MOTION:** Nathan O'Neill

**SECOND:** Allen JuneK

To approve Kim Stafford to call and let the LaSalle know that the Board does not feel like this is within their jurisdiction.

Motion Approved: 5-0

14. Review proposal from Access Records Storage and Management Services (General Counsel)

Postponed; General Counsel will get with USW Utility Group general Counsel and bring back on the next regular meeting.

15. Establish communication protocol between USW Utility Group and G&W Engineers, Inc. and Port O'Connor Improvement District Board members

Discussion; no action

## **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

1. Consultation with General Counsel pursuant to Texas Government Code 551.071, Consultation with Attorney, on pending or contemplated litigation; or a settlement offer; or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551 for the purpose of receiving legal advice concerning status of pending projects, including but not limited to Interlocal Agreement with LaSalle Water Control and Improvement District No. 1A, as amended, Wavenet Wireless Tower Lease Agreement,

Public Information Act requests, Record Retention requirements, Port O'Connor Improvement District Board member Conflicts of Interest and Port O'Connor Improvement District Code of Conduct; Port O'Connor Improvement District Board member contact with former attorneys for the Port O'Connor Improvement District; Port O'Connor Improvement District Board member requests for legal services; and the Waste Water Treatment Plant Aeration Blower purchase agreement and warranty claim.

Postponed till March 31<sup>st</sup> special meeting

#### **ACTION AS A RESULT OF EXECUTIVE SESSION**

None

**ITEMS FROM BOARD MEMBERS** (Note: Board members may request specific factual information, recitation of existing policy, or placement of items on the Agenda for discussion at a later meeting.)

#### **ADJOURNMENT**

**MOTION:** Marshall Bradford

**SECOND:** Joe Newsome

To adjourn the meeting.

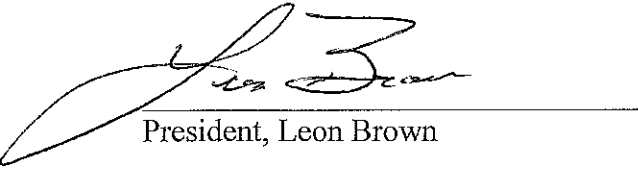
Motion Approved: 5-0

The meeting adjourned at 9:45 p.m.

Minutes APPROVED by the Board of Directors on the 20 day of April, 2017.

ATTEST:

  
Nathan O'Neill, Secretary

  
President, Leon Brown