

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

Pursuant to notice duly posted on March 28, 2017, a **SPECIAL** meeting of the Port O'Connor Improvement District was called to order on Friday, March 31, 2017 at 12:00 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: Nathan O'Neill, Leon Brown and Marshall Bradford

DIRECTORS ABSENT: Allen Junek and Joe Newsome,

ALSO PRESENT: Ron Ketteman, USW Utility Group Project Manager
Chad Sillers, USW Utility Group Personnel
Kim Stafford, USW Utility Group Personnel
Dottie Palumbo, Bojorquez Law Firm
Corey Bostick, USW Utility Group
Gene Chisum, USW Utility Group

MEMBERS OF THE PUBLIC PRESENT:

Dennis Thomas, Bobby Raybon and Susan Raybon

PUBLIC COMMENT: None

ITEMS FOR CONSIDERATION

1. Original Tax Bond, Refunding Bonds and any Bonds voted on by the public
 - A. Presentation by Allen, Boone, Humphries and Robinson, LLP
 - B. Presentation by First Southwest

MOTION: Marshall Bradford

SECOND: Nathan O'Neill

To postpone both presentations from Allen, Boone, Humphries and Robinson, LLP and First Southwest until we have a District Engineer

Motion Approved: 3-0

2. Minutes of Regular Meeting February 16, 2017

MOTION: Marshall Bradford

SECOND: Nathan O'Neill

To approve the Minutes of Regular Meeting February 16, 2017
Motion Approved: 3-0

3. Reimburse LaSalle for credit card payments

MOTION: Marshall Bradford

SECOND: Nathan O'Neill

To approve the reimbursement for LaSalle credit card payments
Motion Approved: 3-0

4. Review 2011 Order appointing Kim Stafford as Record Management Officer & USW Utility Group Operations, Maintenance & Customer Service Agreement, dated March 31, 2016 contractual record retention provisions.

MOTION: Nathan O'Neill

SECOND: Marshall Bradford

To accept public information act and record retention procedures and have USW Utility Group and secure a .gov account and place on a future agenda.
Motion Approved: 3-0

5. Accept start of One-Year Warranty from Lester Contracting for Segment D of the TWDB Project

MOTION: Nathan O'Neill

SECOND: Marshall Bradford

To accept start of One-Year Warranty from Lester Contracting for Segment D of the TWDB Project dated March 31, 2017 with the acceptance of January 1, 2017
Motion Approved: 3-0

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

MOTION: Marshall Bradford

SECOND: Nathan O'Neill

To have General Counsel follow up on the detail of charges with G& W Engineers
Motion Approved: 3-0

7. Texas Open Government Act Training by General Counsel

MOTION: Marshall Bradford

SECOND: Nathan O'Neill

To postpone till the next regular meeting
Motion Approved: 3-0

8. Sewer pits, water meters and air valves, locations/elevations (Director Junek)

No action; USW Utility Group will get a policy & procedure together to add that wording to the New Service Agreement.

9. Approve Issuance of Requests for Qualifications for district Bond Counsel

No Action

10. Request by Duane Crocker for the Port O'Connor District to waive fees as required by the Texas Public Information Act for his request of December 20, 2016.

MOTION: Marshall Bradford

SECOND: Nathan O'Neill

To deny the request by Duane Crocker for the Port O'Connor District to waive fees as required by the Texas Public Information Act for his request of December 20, 2016.

Motion Approved: 3-0

11. Approve an Order finding that a 2011 Ford ½ ton F-150 white truck, 3.7L V-6 Automatic with 93965 Miles is surplus property and no longer needed by the District, determining fair market value of the vehicle and ordering that it be sold by public or private sale.

MOTION: Leon Brown

SECOND: Marshall Bradford

To approve an Order finding that a 2011 Ford ½ ton F-150 white truck, 3.7L V-6 Automatic with 93965 Miles is surplus property and no longer needed by the District, determining fair market value of the vehicle and ordering that it be sold by public or private sale.

Motion Approved: 3-0

12. Approve advertising for sale of 2011 F-150 ford pickup with one day ad to be placed in Port Lavaca Wave prior to sale date.

MOTION: Marshall Bradford

SECOND: Leon Brown

To approve advertising for sale of 2011 F-150 ford pickup with one day ad to be placed in Port Lavaca Wave prior to sale date.

Motion Approved: 3-0

13. Accept resignation of G & W Engineers, Inc. as District Engineer and establish an effective date of termination as March 27, 2017.

MOTION: Marshall Bradford

SECOND: Nathan O'Neill

To accept resignation of G & W Engineers, Inc. as District Engineer and establish an effective date of termination as March 27, 2017.

Motion Approved: 2-1; For Marshall Bradford and Leon Brown Against; Nathan O'Neill

14. Review Notice from G & W Engineers, Inc. of Termination of Professional Engineering Services Agreement for Construction Engineering on the TWDB Project 21750 effective April 3, 2017, and authorize the President to take any necessary action.

MOTION: Marshall Bradford

SECOND: Nathan O'Neill

To take whatever action necessary to obtain original documents from G&W Engineers on TWDB Project 21750

Motion Approved: 3-0

15. Approve issuance of Requests for Qualifications for Engineering Services for Construction Engineering on Texas Water Development Board Project 21750 and to hire a District Engineer.

Table; bring back on the April 4 Agenda. USW Utility will review and make suggestions by email to General Counsel

16. Approve an Agreement for Wildlife Consulting Services in connection with TWDB Project 21750 and authorize the President to execute necessary documents.

MOTION: Marshall Bradford

SECOND: Nathan O'Neill

To approve an Agreement for Wildlife Consulting Services in connection with TWDB Project 21750 and authorize the President to execute necessary documents.

Motion Approved: 3-0

EXECUTIVE SESSION.

1:05 PM

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. Procedures and contracts related to Bond offerings, Election law legal requirements and Director use of POCID News No. 3 in November of 2016.

2:28 PM

ACTION AS A RESULT OF EXECUTIVE SESSION

Wavenet Wireless Tower Lease Agreement

MOTION: Nathan O'Neill

SECOND: Leon Brown

To approve Marshall Bradford to make contact with Wavenet Wireless

Motion Approved: 3-0

Public Information Act requests

MOTION: Marshall Bradford

SECOND: Nathan O'Neill

To approve General Counsel to notify Gardere, Wynne that as of February 1, 2017 General Counsel is responding to all Public Information Act requests, including any past requests that have been responded to by Gardere, Wynne Law firm and that attorney services for Port O'Connor Public Information Act requests that were put on hold by President Brown's email are no longer needed.

Motion Approved: 3-0

Blower purchase agreement and warranty claim

MOTION: Nathan O'Neill

SECOND: Marshall Bradford

To approve General Counsel to send a notification and claim to Pinnacle and the manufacture for a replacement or repair of the blower.

Motion Approved: 3-0

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.)

Read Emails from Allen Junek and Joe Newsome for their resignations.

There was discussion to bring potential board members for the appointment process.

MOTION: Nathan O'Neill

SECOND: Marshall Bradford

To bring potential board members for the appointment process.

Motion Approved: 3-0

ADJOURNMENT

MOTION: Nathan O'Neill

SECOND: Marshall Bradford

To adjourn the meeting.

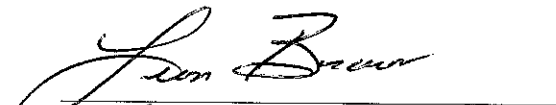
Motion Approved: 3-0

The meeting adjourned at 2:32 p.m.

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

ATTEST:


Nathan O'Neill, Secretary


President, Leon Brown