

**MINUTES OF THE REGULAR MEETING
GALVESTON COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1
REGULAR BOARD OF DIRECTORS MEETING**

Monday, November 16, 2020

2320 Falco Street

Dickinson, Texas

5:00 p.m.

The Board of Directors of Galveston County Water Control & Improvement District No. 1 of Galveston County, in Dickinson, Texas, met in a regular session, open to the public, on November 16, 2020, at 2320 Falco Street, Dickinson, Texas, thereof, and the roll was called of the duly constituted officers and members of the board, to wit:

John Mitchiner	President	Present
Shamarion Barber	Vice President	Present
William J. Gaffey	Secretary-Treasurer	Present
Garland Copelin	Director	Present
Jeffrey Spriggins	Director	Present

Also, present were: Interim General Manager Ivan Langford; Keith Morgan; Aurora Amaro; Darrell Hartwick; Nancy Click; Ana Urps; John Campbell; and Trina Veasey of Galveston County W.C.I.D. No. 1; Efrain Him, PE of HDR, Inc.; Ryan Nokelby, PE of HDR, Inc.; and JoAnn Matthiesen, Partner of Baker Williams Matthiesen LLP.

Guest(s): State District Judge Kerry Neves; Galveston County Commissioner Stephen Holmes; Stephen Gonzales; and Butch Johnson.

CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

The meeting was called to order by President Mitchiner at 5:04 p.m. All said members were in attendance, and a quorum was established by Secretary-Treasurer Gaffey.

PRAYER AND PLEDGE OF ALLEGIANCE

Secretary-Treasurer Gaffey led those present in the Prayer. Director Copelin led those present in the Pledge of Allegiance and the Pledge to the Texas Flag.

CITIZENS' COMMENTS (Time Limit: 5 minutes per speaker)

Stephen Gonzales, resident of 3117 Richard Street, and Butch Johnson addressed the Board of Directors concerning a sewer problem in their neighborhood.

CONSENT AGENDA/APPROVAL OF MINUTES

1. **Discuss and take action on approval of payment of Directors' "Per Diem" request for October, 2020.**

2. **Discuss and take action on approval of minutes for the Regular Board Meeting of October 19, 2020.**

A motion was made by Secretary-Treasurer Gaffey and seconded by Vice President Barber to approve the consent agenda, payment of Director 'per diem' requests for October, 2020, and minutes of the Regular Board Meeting of October 19, 2020. The motion passed unanimously.

REGULAR AGENDA/OTHER BUSINESS

3. **Discuss and take action to approve Order No. 2020-05, Order canvassing returns and declaring results of Directors' election.**
Discutir y tomar accion para aprobar Orden No. 2020-05, Ordenando escrutinio de retorno y declaraci3n de resultados de elecci3n de los Directores.

A motion was made by Director Copelin and seconded by Secretary-Treasurer Gaffey to approve Order No. 2020-05, Order canvassing returns and declaring results of Directors' election. The canvassing of the 9,562 votes cast with the following results was:

Shamarion M. Barber	2,709 votes
Jeffrey M. Spriggins	2,953 votes
John W. Mitchiner	2,241 votes
Doreen Bridges	1,659 votes

It is hereby found and declared that:

Shamarion M. Barber
Jeffrey M. Spriggins
John W. Mitchiner

have been elected directors of Galveston County Water Control and Improvement District No. 1 to serve until the directors' election on May 4, 2024, or until their successors have been duly elected or appointed and have qualified.

The motion passed unanimously.

4. **Discuss and take action on approving Directors' Sworn Statements.**
Discutir y tomar accion para aprobar los Juramentos de los Directores.

The newly elected Directors Shamarion M. Barber, Jeffrey M. Spriggins and John W. Mitchiner signed the Sworn Statements, and the Sworn Statements were accepted by the Board.

A motion was made by Vice President Barber and seconded by Secretary-Treasurer Gaffey to approve Directors' Sworn Statements. The motion passed unanimously.

5. **Administer Oath of Office for newly elected Board of Directors: Shamarion M. Barber, John Mitchiner, and Jeffrey Spriggins.**
Administrar el Juramento para los Directores nuevamente elegidos: Shamarion M. Barber, John Mitchiner, y Jeffrey Spriggins.

Galveston County Commissioner Stephen Holmes administered the Oath of Office for newly elected Board of Directors: Shamarion M. Barber and Jeffrey M. Spriggins. State District Judge Kerry Neves administered the Oath of Office for newly elected Board of Director John W. Mitchiner.

6. **Discuss and take action on electing the Officers for Board of Directors: President, Vice President and Secretary-Treasurer.**

A motion was made by Director Copelin and seconded by Secretary-Treasurer Gaffey to elect by acclamation the Officers for Board of Directors - President John W. Mitchiner, Vice President Shamarion M. Barber and Secretary-Treasurer William Gaffey. The motion passed unanimously.

7. **Discuss and take action to adopt Resolution No. 2020-21, Resolution Authorizing an Agreement by and between Texas Commission on Environmental Quality and Galveston County Water Control and Improvement District No. 1, agree to prepare, install, maintain Superior Public Water System signage.**

A motion was made by Vice President Barber and seconded by Director Spriggins to adopt Resolution No. 2020-21, Resolution Authorizing an Agreement by and between Texas Commission on Environmental Quality and Galveston County Water Control and Improvement District No. 1, agree to prepare, install, maintain Superior Public Water System signage. The motion passed unanimously.

8. **Discuss and review presentation on needs assessment of infrastructure maintenance.**

Interim General Manager Langford made a presentation on needs assessment of infrastructure maintenance in the District. He expressed to the Board of Directors that there is a need for the District to maintain our infrastructure.

There was no action taken.

9. **Discuss renewal of bank depository agreement.**

Interim General Manager Langford updated the Board of Directors on the renewal of the bank depository agreement. He recommended for the District to negotiate a new bank depository agreement with Amegy Bank and bring back to the Board for consideration and possible approval. Director Copelin questioned what the fees are

that the bank is charging us for keeping our money in their bank. Interim General Manager Langford will address this issue with Amegy Bank.

10. Discuss and take action to approve date and time of the December Regular Board Meeting.

A motion was made by Vice President Barber and seconded by Secretary-Treasurer Gaffey to approve changing the date of the December Regular Board Meeting from December 21, 2020 at 5:00 p.m. to December 14, 2020 at 5:00 p.m. The motion passed unanimously.

11. Discuss and review Bond Projects Updates; on-going Engineering and Construction Projects.

Mr. Efrain Him, PE of HDR, Inc. updated the Board of Directors concerning the on-going Bond Projects and on-going Engineering and Construction Projects for the month of October. Mr. Him answered the Board of Directors' questions and concerns.

There was no action taken.

12. Hear report from legal counsel, Baker Williams Matthiesen LLP.

Ms. JoAnn Matthiesen, our Legal Counsel, stated that the Board will discuss matters in Executive Session.

13. Receive Monthly Reports

- a. Financial Report
- b. Tax Report
- c. Travel & Training Expense Statements
 - Board Travel & Training Expense Reports
- d. Galveston County Health District - Citizens' Comments Report
- e. Utility Plants Update Discharge Monitor Report (DMR)
- f. Staff Reports
 - Field Operations Report
 - Human Resources Report
 - Safety Report
 - Water & Wastewater Operator's Report
 - General Manager's Report

Chief Financial Officer Aurora Amaro reviewed the Financial Report for the month of October, 2020. Ms. Amaro answered the Board of Directors' questions and concerns.

There was no action taken.

14. Discuss and take action on item(s) from Staff Reports, if necessary.

There was no action taken.

Convene into Executive Session to discuss personnel matters pursuant to Open Meetings Act Section 551.074 of the Texas Government Code and/or Section 551.071 of the Texas Government Code for consultation with Attorney for pending or contemplated litigation, and/or Section 551.072 of the Texas Government Code for deliberations about real property.

The Board convened into Executive Session at 6:32 p.m.

- a. **Discuss Status of Falco Office Construction Contract**
- b. **Discuss Status of Solid Waste Contract**
- c. **Discuss Pending Litigation**

Re-convene into Open Session and authorize any necessary action concerning personnel matters and/or pending or contemplated litigation and/or deliberations about real property.

The Board re-convened into Open Session at 7:25 p.m.

15. Discuss and take action on item(s) from Executive Session.

A motion was made by Director Copelin and seconded by Vice President Barber to direct Legal Counsel JoAnn Matthiesen to draft a letter to the Solid Waste Contractor and coordinate with staff on the language. The motion passed unanimously.


A motion was made by Director Copelin and seconded by Vice President Barber to approve retaining Olson & Olson, LLP to prepare a response to the lawsuit filed by Russell D. Grubbs for breach of contract. The motion passed unanimously.

CLOSING COMMENTS/ANNOUNCEMENTS/RECOGNITION

There were no public announcements and/or recognition.

ADJOURNMENT

The meeting adjourned at 7:30 p.m.


Secretary for the Board of Directors