

# GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 12

## REGULAR CALLED MEETING

March 16, 2020

The Board of Directors (Board) of the Galveston County Municipal Utility District No. 12 (District) convened for a **Regular Called Meeting, March 16, 2020**, that was open to the public, at 6:00 p.m. at the District's Office located at 2929 Highway 6, Bayou Vista, Texas. A quorum of the Directors was present.

Position 1	Richard Matthews, President	Present
Position 2	Eric Moeller, Vice President	Present
Position 4	Newman Sharp	Present
Position 5	Roy Menotti, Director	Present
Position 3	Roger Domingue, Assistant Secretary/Treasurer	Present

In attendance: Bayou Vista resident-Lou Wortham; Omega Bay residents-DJ Matthews, Georgia Sharp, Robert Michetich, Danny & Darlene Barnes; Bill Manning- District Engineer; Michael Bacon- District Attorney Operator –Randy Ward and Sharon Ballard-Secretary to the Board.

1. **Call the meeting to order.**

President Richard Matthews called the meeting to order at 6:00 p.m.

2. **First order of business.**

**Announcement by the President of the presence of a quorum, that the meeting was duly called, and the notice of the meeting was posted in the manner prescribed by law.**

President Matthews announced the presence of a quorum, that the meeting was duly called, and the notice of the meeting was posted in the manner prescribed by law. The Pledge of Allegiance and a prayer was said.

3. **Public Comments-agenda items only.**

There were no comments.

4. **Consider Minutes and other records of previous Board of Director meetings, including but not limited to: Regular Meeting of February 17, 2020.**

Eric Moeller made a motion to approve the minutes of the Regular Meeting held on February 17, 2020.

Roy Menotti seconded the motion.

Motion carried with all in favor.

5. **Consider the appointment of new Director to fill the Position 4 vacancy on the Board;**

(a) **Administer Oath of Office;**

(b) **Execute Statement of Officer;**

(c) **Execute Affidavit of Director;**

(d) **Reconstitute Board of Directors;**

(e) **Approve the filing of Amended District Registration Form.**

Roger Domingue made a motion to appoint Newman Sharp to fill the Position 4 remaining term.

Roy Menotti seconded the motion.

Motion carried with all in favor.

**Agenda item # 5 continued.**

Sharon Ballard administered the Oath of Office to Newman Sharp to fill the Position 4 vacancy on the Board. The Statement of Officer and the Affidavit of Director were executed. The Board remained in their respective offices. The Board will be reconstituted after the May 2<sup>nd</sup> election day. Mr. Menotti and Mr. Sharp will be sworn into their respective Positions at that time. An Amended District Registration Form will be filed at such time.

**6. Bookkeeper's Report, including consideration of the following:**

- a) **Financial Statement and Investment Report for February 2020.**
- b) **Bank transfers.**
- c) **Payment of monthly bills.**

Mr. Matthews reviewed the financials with the Board as Lydia was not at the meeting. Lydia had not indicated that any transfers should be made.

Roger Domingue made a motion to approve the Bookkeeper's Report, Financial Statement, Investment Report and the payment of monthly bills.

Roy Menotti seconded the motion.

Motion carried with all in favor.

**7. Update on Canal Project.**

Mr. Matthews and Mr. Menotti discussed the Canal Project meetings which they had attended. Mr. Bacon advised he will be handling the District's paperwork for the Communication Agreement which is a small contractual group of entities.

**8. Operator's Report, including consideration of the following:**

- a) **Water and Wastewater Plant status, including repairs and maintenance, Well Usage Report, and Discharge Monitoring Report;**
- b) **Status of District assets, including Vehicle Maintenance Report;**
- c) **Recommendations for service orders and status of outstanding service orders;**
- d) **Recommendations for account services, including disconnection of accounts.**

Randy Ward reviewed the Operator's reports with the Board. He discussed a quote from K2 in regard to a SCADA for the Water Plant.

Roger Domingue made a motion to accept the quote from K2 Services for the SCADA system for the Water Plant with payments at 30 days, 60 days and 90 days not to exceed \$58,112.00

Newman Sharp seconded the motion.

Motion carried with all in favor.

Eric Moeller made a motion to approve the Operator's Report, including consideration of the following:

Water and Wastewater Plant status, including repairs and maintenance, Well Usage Report, and Discharge Monitoring Report, Status of District assets, including Vehicle Maintenance Report, Recommendations for service orders and status of outstanding service orders and recommendations for account services, including disconnection of accounts.

Newman Sharp seconded the motion.

Motion carried with all in favor.

9. **Engineer's Reports**

**Approve pay estimates and change order, approve easements, authorize advertisement for bids and approve recommendation of award and contracts as necessary.**

a) **Update on WWTP Rehabilitation Project.**

Bill Manning reviewed the Engineer's Report with the Board.

Roger Domingue made a motion to pay Estimate #9- Final in the amount of \$73,245.59 to R&B Group. This amount represents the release of all retainage per AEI Engineering's recommendation.

Roy Menotti seconded the motion.

Motion carried with all in favor.

Roger Domingue made a motion to apply for the Certificate of Completion for the Wastewater Treatment Plant Rehabilitation Project.

Newman Sharp seconded the motion.

Motion carried with all in favor.

Roy Menotti made a motion to approve the Engineer's Report, approve pay estimates, change orders, approve easements, authorize advertisement for bids and approve recommendation of award and contracts as necessary.

Newman Sharp seconded the motion.

Motion carried with all in favor.

10. **Attorney's Report**

(a) **Consider amended legal fee schedule.**

(b) **Matters related to May 2, 2020 Directors Election:**

**(1) Consider Certification of Unopposed Candidates.**

**(2) Adopt Order Declaring Unopposed Candidates Reelected and Canceling Directors Election.**

(a) **Matters related to securing electricity through Acclaim Energy.**

Michael Bacon explained the new legal fee schedule was to include the new attorney. He explained the handling of the charging for the grant work. It is currently being paid through the \$2,400.00 He will be requesting a payment under supplemental matter.

He discussed the PUC Complaint which is currently in a holding pattern due to changes of PUC's attorneys and commissioners.

Michael Bacon offered congratulations to Mr. Menotti & Mr. Sharp. He thanked the candidate for withdrawing in time to avoid an election and thus saving the District a substantial amount of money.

Roger Domingue made a motion to approve the order canceling the election and the appointment of unopposed candidates to their offices.

Roy Menotti seconded the motion.

Motion carried with all in favor.

**Agenda item # 10 continued.**

Eric Moeller made a motion to ratify the aggregate contract with Acclaim Energy.

Newman Sharp seconded the motion.

Motion carried with all in favor.

11. **Public Comments.**

Louis Wortham apologized to the Board for his comments regarding the canal project. Thanked the Board for how they are now spending the money. He questioned the meeting on March 25<sup>th</sup> due to the constraints of large crowds gathering. It was agreed that if a meeting is held, a video could be made of the meeting.

The culverts were discussed. The concrete ditch in the front of Bayou Vista was also discussed.

Question concerning a possible communication agreement and contractual group of the City of LaMarque, MUD #12, Village of Tiki Island and City of Bayou Vista. Mr. Bacon has been in communication with the attorneys of the City of LaMarque.

The monies for the grant project are-total project \$13,000,000 Grant monies \$10,000,000 . The remaining \$2,000,000 possibly \$3,000,0000 will have to have additional funding. Mr. Matthews and Mr. Michitech have been working on finding additional funding.

The railroad bridge was discussed. The main item that can be hoped for is to increase the flow.

14. **Other Matters that may come before the Board.**

There no other matters.

15. **Executive Session.**

The Board did not go into Executive Session.

16. **Adjournment.**

Roy Menotti motion was made to adjourn with Newman Sharp seconding the motion which unanimously carried; the Board adjourned at 8:10 p.m.

Respectfully Submitted,  
Sharon Ballard

  
Richard Matthews, President

  
Roger Domingue, Assistant Secretary/Treasurer