

Waterworks District No. 2, Parish of Beauregard

MINUTES

The Board of Commissioners, governing authority of Waterworks District No. Two (2) of the Parish of Beauregard, Louisiana, met in an open and public session at 6:00 p.m. on Monday, July 10, 2023 at the regular meeting place of said Board, 9252 Hwy 27, Singer, LA.

*Jerry Cooley, President of the Board of Commissioners called the meeting to order and on roll call, the following members being present: **Jerry Cooley, Bill White, Richelle Bowman, Lisa Gearen, and Carroll Johnson***

Absent: 0

Others Present: *Joseph Delafield, Legal Counsel, Mark McCarty-Meyer and Associates, Geroge McGregor, and Travis Calcote-KHebert Industrial Services.*

Others Absent: *Mathieu Rose*

Public Participation: *There was no public participation for items on the Agenda*

Amendments to the Agenda: *Lisa Gearen, 2nd by Carroll Johnson moved to amend the Agenda to add Mr. Calcote, representative for KHebert Industrial Services, following Mr. McGregor. The motion carried without opposition.*

Approval of Minutes:

Richelle Bowman, 2nd by Lisa Gearen, moved to adopt the Minutes of June 12th and 20th meeting and to forego the reading thereof, motion carried without opposition.

Approval of Financial reports:

Richelle Bowman, 2nd by Lisa Gearen moved to adopt the financial reports as written for June 2023, the motion carried without opposition.

Payment authorization:

Richelle Bowman 2nd by Lisa Gearen, moved to pay all monthly invoices for July 2023, the motion carried without opposition.

Mr. George McGregor *addressed the Board with concerns over the water pressure at his residence. He has monitored it and it fluctuates between 35psi and 45 psi. It drops when everyone is taking showers, and loses more pressure when the community is using water. He further stated that the pressure at the meter is 55 psi, and that his son has a psi of 50. He would like a 1" water meter installed if possible.*

Mark McCarty with Meyer and Associates *said that him and Mathieu went out to the residence and the customer has been a new home, and elevated the property approximately 20' and he believes that is the main issue. He does not think a 3" water main upgrade would help him with the pressure problem.*

The Board discussed different ideas of what could be the issue, and informed Mr. McGregor that they would get back with Mathieu and see what, if any, other ideas they could try to see if a solution could be found.

The Board discussed getting with LRWA, and see if they had any suggestions or tools that would help solve the problem, or at least have a final answer to the pressure issue at Mr. McGregor's. No other customers have complained of low pressure.

***Travis Calcote**, representative of KHebert Industrial Service addressed the Board on the importance of the alignments of pumps and motors. He presented an alignment of the Pumps/motors at the Phelps Booster Station as an example of how accurate his devices are. He also presented a few other alignment reports of other water systems he had completed. This gave the Board an idea of what he could accomplish for the system, and he believed that proper alignments save on the wear and tear of motors, bearings, couplings, etc. and would also save on expense of repairs or replacements.*

Mr. Calcote gave an annual quote of \$12,000 for alignments with quarterly reports.

The Board thanked Mr. Calcote for his presentation and attending the meeting. The Board tabled their decision until they could speak with Mathieu for further information.

Mark McCarty- Engineer for the District concerning Griner Drilling

***Mr. Mark McCarty** discussed his correspondence with Griner concerning the dispute over the motor at the new Fields Well as being a rental. He further stated that Griner has consulted their attorney over the dispute, but he has not been informed on what their intentions are.*

***Richelle Bowman** questioned whether or not they had ever provided a signed rental agreement from the District agreeing to their rental terms?*

***Mark McCarty** stated that "no", a signed contract has not been provided by Griner. He now states that he is of the mindset that when Jeremy Joffrion requested that the motor be left at Well 5, after the testing process, that he (Mark) was under the impression that the District had agreed to rent it.*

***Bill White** asked for Mark to contact Griner and have the motor rental invoice removed because the District was unaware of the rental agreement, and there is no signed contract stating that an agreement was ever made.*

***Mark McCarty** discussed that he had made a recommendation on April 7, 2022 that the substantial completion date for Griner to be changed to June 4, 2022, and that the new recommendation has not been sent to Griner as of to date. (See July 10, 2023 Milestone with completion date set for March 22, 2023, stating that from Jun 4, 2022 to the achieved date of Substantial Completion on March 22, 2023, 291 days had elapsed which equates to \$72,750 in liquidated damages)*

The Project Update sheet states that the work is complete with the 45- day lien period ending on June 17, 2023. Griner began drilling January 19, 2021, and ended June 17, 2023 according to the lien period.

***Mr. Jay Delafield-Legal Counsel for the District** discussed the dispute concerning the motor rental agreement, and that after talking with Jeremy Joffrion, and a contract was not signed for such an*

agreement, he is advising the Board to take this cost off of the table as a payment due to Griner drilling. He said that Jeremy Joffrion stated that he did in fact rent motors for Well 2 and 4 when they burnt up.

Mr. Delafield further stated that after his conversation with Jeremy Joffrion, and reviewing text messages and email from Keith Istre-Griner Drilling that at first Keith Istre states that he and Jeremy had the agreement, then he backtracks and states he and Mark McCarty had the agreement, but there is no signed agreement with the District. He advised the District not to pay the motor rental invoice, because he knows that Jeremy would have brought the request to the Board, and that Keith's recollection is conflicting.

Mr. Jay Delafield further stated that Mark McCarty-Meyer and Associates was hired as the engineering expert for the District on Fields Well project, and whatever his position is on the liquidated damages is what he (Mark) will be testifying on behalf of the District per say. He (Mark) is the one that would prove how many days that he believed Griner was in default in order to generate the cost for liquidated damages. The contract states that the penalty for liquidated damages is \$250 per day, and if Mark is not in agreement with the Board on the actual 477 days that is in the Project update that was supplied to the Board by Meyer and Associates, then he is not sure of the outcome if the District took Griner to court. He further stated at the end of the day Mark McCarty was hired to represent the Board, and not Griner, and his findings are what will be presented as the expert for the Water District.

Mark McCarty stated that as the Board's engineering advisor that of the 477 days the Griner Drilling was in default of the contract, he believes only 61 days of the 477 are legitimate bringing the cost due to the Board in liquidated damages to \$18,500.00 and that his is final standing.

The Board disagreed with Mark McCarty, and question how he came up with such a low number of days.

Bill White stated that not only did Griner go over the contract 477 days, and due these astronomical delays they also put RP Construction behind, which in turn cost an increase in cost for supplies.

Mark McCarty stated that he would take that under advisement, and he was sure that was addressed as a Change Order. He would let the Board know of his findings at the next board meeting.

Paula Rose asked if her and Jeremy Joffrion's overtime could be considered due to the delays, and extra meetings because of the issues with Griner, and the delays.

Mark McCarty said that she could figure that in, and he would look at it and advise accordingly.

Mr. Jay Delafield asked Mark McCarty to write "confidential, for discussion purposes only, and that the Board has not acted upon this agreement", on his project milestone that he submitted to the Board. Mark did as Mr. Delafield requested.

Bill White, 2nd by Lisa Gearen, moved to table the discussion until they heard back from Mark McCarty on Griner's final pay request.

Fields Storage Tank:

Mark McCarty provide a cost analysis for the new 160,000-gallon storage tank in Fields in the amount of \$350,000.00.

Bill White, 2nd by Lisa Gearen, moved to install the new storage tank in Fields, and present the final project cost to the Beauregard Parish Police Jury in order to receive the \$250,000 prior to the tank installation to help pay for the project. The motion carried without opposition.

Maintenance Report: Mathieu Rose Absent

Mathieu left a list for the Board of Commissioners discussing:

- Repairs are needed to the Singer Storage Tank at the main plant because it is leaking. Mark Phariss will be in to inspect the tank this week. The Maintenance department will drain the tank a day prior to Mark coming to inspect.*
- Informed the Board of the issue at Mr. Landry's property on Burns Clark Road. Mr. Landry keeps blowing up Beaver dams, and has blown up an old service line that the system was unaware of. The Maintenance crew repaired and set a flush out at the end of the water line.*
- Informed the Board of the planned water outage for Tuesday, August 1 to repair 2 leaks on the 10" water main by the Singer Fire Department and Mr. Alford Doyle's property.*
- Bill White, 2nd by Carroll Johnson, moved to purchase tools and supplies from Rural Pipe in the amount of \$3,795.00. The motion carried without opposition.*

Secretary Report: Paula Rose

- Windham and Reed completed the 2022 Audit, and we were in good standing.*
- The Declaration of Emergency for the purchase of the Excavator was published in the official journal.*
- Debi Pruitt with B1Bank is requesting 2 months of bank statement in order to provide the District with the best possible interest rates. The Board of Commissioners denied her request.*
- Paula discussed cancelling the maintenance tablets with AT&T, which will bring a saving of \$308 per month beginning September 2023. She also stated that with the new phone system there would be approximately \$400 per month savings also. This brings a total savings of approximately \$708.00 per month.*
- Lisa Gearen, 2nd by Carroll Johnson moved to accept the phone proposal from AT&T in the amount of \$448 per month, with a 5-year contract with Yealink. The motion carried without opposition*

Adjournment:

There being no further business, upon a motion by Lisa Gearen 2nd by Bill White, the meeting was adjourned, the motion carried without opposition.

I DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the minutes of the business meeting held on July 10, 2023 at the regular public meeting place of said Board at 9252 Hwy 27, Singer, Louisiana.

Paula Rose

Paula Rose-District Secretary/Treasurer

Jerry Cooley

Jerry Cooley, President