

**MINUTES OF A SPECIAL MEETING OF  
THE BOARD OF DIRECTORS OF THE  
HARDIN COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 1**

A special meeting of the Board of Directors of the Hardin County Water Control & Improvement District No. 1 was held on Thursday, October 26, 2017, pursuant to notice duly posted in accordance with law. The meeting was held at 1008 Pinewood Blvd. in Pinewood Estates, Hardin County, Texas. The following members of the Board were present:

Jack Maddox

Jerry Giardina

Tim Beard

Paul Gustafson

Absent: Buddy Hughes

Also present were Wayne Turk, Liz Will of Will's Administration and Certification, Josh Armfield, Karin Warren and Marty Adams of Utility Innovations, LLC dba Utility Specialties, Ryan Frykholm and Keith Evans of Simmons Recovery Consulting, Jeff Leavins of LJA Engineering and Guy N. Goodson of Germer PLLC as legal counsel for the District.

AGENDA ITEM NO. 1: **Call to Order.** A quorum being present, the meeting was called to order at 4:25 p.m. by President Maddox.

AGENDA ITEM NO. 2: **Public Comments.** None.

AGENDA ITEM NO. 3: **Engage Simmons Recovery Consulting as to Hurricane/Tropical Storm Harvey and execute Consulting Services Agreement.** The Board received a presentation from Ryan Frykholm of Simmons Recovery Consulting. After discussion and upon motion duly made by President Maddox and seconded by Director Giardina, the Board agreed to engage Simmons Recovery Consulting as to Hurricane/Tropical Storm Harvey pursuant to a Consulting

Services Agreement for a cost not to exceed \$30,000. Mr. Frykholm indicated that he would revise the draft Consulting Services Agreement to reflect the revised scope and maximum costs under the Agreement.

**AGENDA ITEM NO. 4: Update on water/wastewater system repairs related to Hurricane/Tropical Storm Harvey and authorize actions or advertisement for bids related thereto.** Jeff Leavins received additional updates on Hurricane/Tropical Storm Harvey and the status of the wastewater treatment plant. The Board recognized Mr. Turk who indicated that he had been in further conversations with the TML Intergovernmental Risk Pool and had been advised that the meters at each property location in the District were not a scheduled asset under the TML coverage and as such, would not be subject to a claim against that insurance. The Board asked if TML had received additional claims and asked Mr. Turk to provide an update during the November meeting on the expenditures to date from TML proceeds and the amount of additional claims that may be submitted to TML within policy coverage on listed assets.

**AGENDA ITEM NO. 5: Comments from Board Members.** President Maddox questioned legal counsel as to pending matters concerning FEMA procurement and whether the District would need to procure engineering services or could continue under its current Engineering Services Agreement most recently executed with LJA Engineering. Legal counsel indicated that he was to provide to Mr. Leavins mandated contract provisions that would likely have to be added to the current contract in hopes that this would suffice for a portion of the emergency services that had been provided in the initial days and weeks following Hurricane/Tropical Storm Harvey; however, legal counsel noted that based upon the information received at other scoping meetings, future mitigation and enhancement project work on District facilities would have to be through a separate procurement in accordance with Two Code of Federal Regulations Part 200 (the “New

FEMA Procurement Guidelines”). Questions followed as to the status of individuals returning to the District and the percentage of customers and responses followed from the representatives of Utility Specialties.

AGENDA ITEM NO. 6: **Adjourn.** There being no further business before the Board, the meeting was adjourned at 5:00 p.m.

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President of the Board

ATTEST:

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Secretary of the Board