

**MOFFAT WATER SUPPLY CORPORATION**  
**5460 LAKEAIRE BLVD., TEMPLE, TEXAS 76502**  
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[www.moffatwatersupply.com](http://www.moffatwatersupply.com)

Moffat Water Supply Corporation (MWSC) held a Regular Board Meeting on **Monday, November 20, 2023**, at Moffat Community Center at 13410 Kuykendall Mountain Road., Temple Texas, 76502.

**Board Members Present:**

Russell Coufal, Vice President  
Dewitt Mayfield, Secretary/Treasurer  
Paul Carr, Director  
John Bockhold, Director

**Board Members Absent:**

**Staff Members:**

Damon Boniface

**1. Call to order.**

Vice President, Russell Coufal called the meeting to order at 5:30 pm.

**2. Presiding Officer determines if a quorum is established.**

Vice President, Russell Coufal determined that a quorum was established.

**3. Invocation.**

Led by General Manager, Boniface

**4. Pledge of Allegiance to the Flag.**

Led by Vice President, Russell Coufal

**5. Discussion and possible action to adopt the order of the day.**

Motion to adopt the order of the day by Sec./Treas., Dewitt Mayfield and seconded by Director, Paul Carr.

**Motion carried 4-0.**

**6. Public Comments.**

No public comments.

**7. Discussion and possible action to approve the Minutes from the October 16, 2023, Regular meeting.**

Motion to approve the minutes made by Sec./Treas., Dewitt Mayfield, seconded by Director, John Bockhold

**Motion carried 4-0.**

**8. Discussion and possible action to approve the Financial Report for October and disbursements to date, subject to audit.**

GM Boniface stated staff prioritized repairing the leaks identified from the system acoustic leak detection survey by focusing on the large volume leaks first then will start repairing the lessor volume ones.

Motion to approve the financial reports made by Director, John Bockhold, and seconded by Director, Paul Carr.

**Motion carried 4-0.**

**9. Discussion and possible action on amending fiscal year 2024 capital improvements budget to supplement funding Pump Station 1 System Improvements Project.**

GM Boniface introduced the perspective general contractor, Alterman, Inc, and Gil Gregory from MRB Group. Alterman expressed their appreciation for being able to bid on the project as they have years of experience with constructing water pumping stations. GM Boniface asked Alterman specifics about the manufactures they are going to use with supplying materials and equipment for the project.

GM Boniface stated that he and MRB completed the value engineering process for being able to lower construction cost without compromising the potential long-term beneficial use of the station upon completion. He mentioned there were significant savings gained by constructing a steel welded tank as opposed to a prestressed concrete tank. Additional savings were gained by reconfiguring yard piping and reducing linear feet to be installed and relocating electrical control panels on pump skid unit.

GM Boniface explained the cost savings in more detail using the capital improvement budget spreadsheet comparing the three styles of tanks. He stated a steel-welded tank would service the system long-term provided the proper maintenance is done to preserve its useful life. Boniface explained the budget supports Moffat being able to pay for the construction shortfall to construct a steel-welded tank while completing existing capital projects under contract and shifting some of the scheduled capital project for fiscal year 2024 to a later time. Total out of potential pocket expensed for construction is \$690,000.00 (\$550,000 construction, \$30,000 tank inspection, and \$110,000 for contingencies).

GM stated the Texas Water Development Board (TWDB) will require a sufficiency of funds letter signed by the board, which commits Moffat to retaining funds to support construction shortfall. He also stated TWDB does not have a preference in which order the funds are used, meaning Moffat can exhaust all loan funds first then use Moffat's funds to pay for the remaining balance of the project.

Director Carr asked GM was comfortable with the account balance as presented on the spreadsheet and GM replied, yes, because of the order we can use loan funds vs Moffat's and when he was first hired in 2019, the account balance was close to that amount listed.

GM Boniface recommended the Board approve amending the capital budget as presented with being able to pay for the additional funds needed for constructing a steel welded storage tank.

Motion to approve amending the fiscal year 2024 capital improvements budget as presented for constructing a steel welded tank as part of the Pump Station 1 Capital Improvements project made by Sec./Treas., Dewitt Mayfield and seconded by Director, Paul Carr.

**Motion carried 4-0.**

## **10. Discussion and possible action on issues involved with commissioning the new elevated storage tank on Jubilee Springs Road.**

GM Boniface stated that during a recorded Teams meeting between Moffat WSC, MRB Group, and Maguire Iron on October 26, 2023, Maguire agreed to flush the debris from the interior of the tank, pay for inspecting the tank to ensure no damage was done to the interior coating from the debris, disinfect the interior of the tank per AWWA Disinfection Method, and replace the 90 degree bend with a domestic made bend per plan specifications. Boniface stated Maguire recently sent an email stating they are refusing to pay to have the tank inspected and disinfected. He went on to explain this meets the definition of defective work by the contractor in accordance with the Contract Agreement between Moffat and Maguire, and how MWSC must submit formal notification to Maguire detailing their defective work, and in return they must respond promptly by correcting all defective work listed. If the contractor refuses to correct their defective work, Moffat can move forward with claiming liquidated damages until the project is substantially complete. Boniface stated he consulted with Moffat's attorney on this matter, and the attorney suggested he review the letter before MRB submits it to Maguire and recommended that Moffat retain the balance owed for retainage as leverage for Maguire to complete their work in accordance with the project's plans and specifications.

Motion to approve for MRB to submit a Notice of Defective Work letter to Maguire Iron upon final approval by Moffat's attorney made by Sec./Treas., Dewitt Mayfield and seconded by Director, John Bockhold.

**Motion carried 4-0**

## **11. Report on Bluebonnet WSC monthly board meetings for October 17, 2023.**

Sec./Treas., Dewitt Mayfield, informed the board that Jim Lilley intends to run for mayor of McGregor, and at the next Bluebonnet meeting there is an agenda item where Jim will receive feedback from the board before officially registering as a candidate for the position.

No action.

## **12. General Manager's report.**

GM Boniface confirmed December 4, 2023, Special Called meeting time and location with the directors for terminating the 2024 annual election.

## **13. Director's Comments.**

None

**14. Adjourn.**

Motion to adjourn by Director, John Bockhold and seconded by Director, Paul Carr.

**Motion carried 4-0.**

*Meeting adjourned at 6:31 pm.*

Subject to approval by the Board of Directors at the next regular Board Meeting on February 19, 2024.

Signed by: Presiding Officer                     *Assell*                    

ATTEST: Secretary/Treasurer                     *[Signature]*                    

NOTE: A USB memory stick or Compact disk of this meeting is available upon request.

*1 Agenda items may be considered, deliberated and/or acted upon in a different order than set forth above.*

*2 The Moffat Water Supply Corporation is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodation and equal opportunity for effective communications will be provided upon request. Please contact the office at 254-986-2457 at least 24 hours in advance if accommodation is needed.*

*3 **Citizens who desire to address the Board on any matter may sign up to do so prior to the beginning of this meeting. Public comments will be received during this portion of the meeting. Please limit comments to 3 minutes. No discussion or final action will be taken by the Board at this meeting.***

*4 During the meeting, the Board reserves the right to go into executive session for any of the purposes authorized under V.T.C.A., Government Code, Chapter 551, for any item on the above agenda or as otherwise authorized by law.*