

MINUTES OF A SPECIAL MEETING  
OF  
TRINITY BAY CONSERVATION DISTRICT  
Wednesday, Thursday, MARCH 30, 2023  
6:00 O'clock P.M.

THE STATE OF TEXAS  
COUNTY OF CHAMBERS

The Board of Directors of Trinity Bay Conservation District met at the offices of the District in Stowell, Texas on Wednesday, November 16, 2022, with the following Directors present:

Scott Kahla	President
Gregg Turner	Vice-President
Richard Nicely	Director
Victor Caraway	Director

Also present were Jerry Shadden, Diane Newsome, Corey Padon and Amos Roy District Employees; Kate Leverette of Germer, District Counsel, Gloria Roemer and Sharisa Nelson of the Seabreeze Beacon, Brad Moon, Chambers County Constable, Wes Bertrand, Sam and Joey Wallace, Bud Threadgill, Richie and Wendy Devillier and Tan Williams.

**Agenda Item 1:**

President Kahla called the Meeting to order at 6:00 p.m.

**Agenda Item 2:**

The meeting was opened with a prayer by General Manager Shadden.

President Kahla led the Pledge of Allegiance to the American and Texas flags.

**Agenda Item 3:**

PUBLIC COMMENT:

President Kahla - Gloria would you like to talk please?

Gloria Roemer - Oh no, actually I would like to be the last one, since I believe there are two or three other ahead of me of me.

District Counsel - Kate Leverett - Just call them the way they are signed in.

President Kahla - Wes Bertrand.

Wesley Bertrand - Yeah, all I gotta say is I am up here because I heard about this splitting it up. What are they thinking of with that? It is gonna be double the equipment, double the personnel, who came up with that cockamamie idea? Will probably have some more questions after I hear more about it today. It is ridiculous. That is about all I have to say about that. You know me, I will perk up If I think of something else.

President Kahla - Tan Williams. You can come up here to the podium if you would like.

Tan Williams - First of all, who are the players? Are there Representatives here or is this just local Board Members?

President Kahla - it is just local.

Tan Williams - Okay. I don't mean to offend or ruffles feathers, but in my mind, this is an effort and it has been quite a long time of a small minority in this community who, quite frankly, hate Jerry Shadden. And so, by association they don't care for the Board that we hired him, and so, count me in the majority of someone who is unhappy at a higher water bill than I would rather pay. But I understand and it has been explained to me, I didn't understand everything, but I think we do pay a higher water bill than I would like but it is being worked on. We had a drainage district that is very functional, they have been doing well. My understanding and my opinion. So, we are here because someone has decided to put forth in the legislature a splitting, that is my understanding, of the 2 entities, the 2 functions within this group. That is, from a business standpoint and incredibly bad idea. You have 2 like functions under one roof serving many of the same purposes and you are going to lose the economies escae in the synergies created by that. It is going to be incredibly expensive to recreate that again. On top of that, I don't need another Governmental entity with the ability to tax in my community. I have plenty of that already. I don't need that. So, what I would say to any Representative that might be here, and unfortunately they are not any, is when this, if it passes in one to two to three years, but at some point it is going to be a train wreck. You will have a drainage district that is not on par with where it is now. You will create further problems for a water district. All those that are so much in favor of this sort of thing, who have the problems that have gone on for years, are going to fade into the background and then you are going to have Representatives who realize they've got no standing, they've got a bunch of mad voters, too late now when they realize it is a bad idea and they are going to be answering the voters and that is going to be a problem. I would hate to see it get to that but that is my opinion that that is



the way it is going to be. With that, I am going to leave y'all with it and I am going to go watch the Astros, thank you.

President Kahla – Thank you for your time. Okay, Joey Wallace.

Joey Wallace – I don't really have a lot to say. I know I can get in front of the podium, but thank you very much. I am here to listen to what you all have to say. Y'all are the experts and y'all are the ones that are supposed to be in control of our water district. I would beg to differ on some of it. I think y'all have done a fine job on (*INAUDIBLE*) things, but when I wash a load of clothes and it comes out brown, I have some problems with that. So, I am up here to hear what the pros are, but I am not sure that this meeting is even going to talk about that because it sounds like maybe this has been discussed in previous maybe executive meetings of which the rest of us were not privy to. So, that's really all. I can see valid reasons to do it and I can see valid reasons not to do it. I have worked for large chemical companies for 35 years, we made things like this work very successfully. We have also seen them not work very successfully. So, it will be interesting to see y'all's take on this. That is pretty much it.

President Kahla – Alright, Gloria.

Gloria Roemer – Scott thank you so much and the Board for letting me speak for a couple of minutes and I appreciate all of you being here as well. I write the news, this was news, it was a resurrection of what happened a couple of years ago and I know Mr. Turner is the only one on the Board that knows the history of why this was brought about in the first place, about 2 or 3 years ago. It had to do with the abject failures of Trinity Bay and the Drainage district during Hurricanes Harvey and Imelda. It had to do with the \$5,000,000.00 that was switched from drainage to water and sewer instead of doing drainage projects as it was supposed to have been. It came out as frustration and anger and I write about it. Do I have an opinion, yes I have an opinion just like, you know, Mr. Nicely was laughing about my paper a little while ago, y'all dislike my opinion and we all know everybody has an opinion. But I write the news. But here is what I had planned to say today, and I am glad Joey that you said it and actually you, Wes, said it too. This has already been predetermined by the Board and how to address this issue, it's obvious. Why wouldn't you hold a Public hearing and get both sides of the story? The pros and the cons, because there are pros. There are very definitely pros.

Wes Bertrand – Name one.

Gloria Roemer – Different Management and a different Board. One guiding drainage and one guiding water and sewer.

Wes Bertrand - Three times the water bills and a drainage department with no equipment, no building and no people.

Gloria Roemer – Okay, so we have that now.

Wes Bertrand – No they share.

Gloria Roemer – Mr. Bertrand, this is my three minutes. I did not interrupt you and please give me and give the people here the respect of keeping quiet and let me have my time.

Wes Bertrand – (*inaudible*) *He and Gloria were talking over each other.*

Gloria Roemer – You're a gentleman and I know you are going to keep quiet. That is what I suggest, people are coming to me all the time and every one of you here knows it. Is that they are not made aware, they do not know what is going on, tell them, tell them what is going on, tell them why this has come up. When this lady, Terri Leo-Wilson was running for the State Representative office, I supported her because I have known Terri since we lived in Harris County together years ago. Good, good conservative lady, conservative liberal, but that's not a point here. She is a good person. Everywhere she went in this County, and she spent probably 75% of her time campaigning in Chambers County. People went up to her and asked here to resurrect this bill that was presented a couple of years ago by Mayes Middleton when he was our State Rep. They asked her. She met with different people in the community asking them why, what was the issue, what was going on? She is doing the will of her constituents when they ask her to bring this up. Now it is up to you as elected members of the board in an open forum and a public forum when she has representatives here, which she would probably be here herself for you to talk about the cons.

President Kahla – You have about 30 seconds to wrap it up Gloria.

Director Caraway – She was invited to this.

Gloria Roemer – Well she is in session right now and we all know...

Director Caraway – And her Representative was invited as well.

Gloria Roemer – Okay. So, when did you tell her? It doesn't matter, it doesn't matter. Okay, then the other thing in my last thirty seconds that I do want to bring up is a letter that was written allegedly by Jerry Shadden to Brandon Creighton and to Judge Sylvia and everything, so much of it is not right when



it has to do with debt revenue, the bonds, we do not get revenue from the drainage department from (*inaudible*) in Texas, we get revenue from only water and sewer. Thank you.

President Kahla – Thank you Gloria, appreciate it.

General Manager Shadden – She was the last speaker, Richie did you want to say something.

President Kahla – No, we have one more, Teri.

David Hoyt – She left.

President Kahla – She left? Okay Richie did you have something that you wanted to say.

Richie Devillier – I'm sorry, I am late. I think that there will be a point in time that this needs to happen, I don't know if it is now. We have got a lot on our plate, and I don't have a dog in the hunt when it comes to water and sewer, I don't, but I damn sure do when it comes to drainage. We have got a lot on our plate right now that we need to get over. I think if we throw a grenade in the middle of everything, I am scared we are not going to get anywhere, or by the time we do we are going to be inundated with another flood. That is all I would say.

President Kahla – Thank you Richie. Okay, well that is all the public comments.

**Agenda Item 4:**

RESOLUTION 23-06 OPPOSING HOUSE BILL 2900 CREATING A SPECIAL UTILITY DISTRICT:

President Kahla – You have heard the pros and the cons.

Director Nicely – Can I say something?

General Manager Shadden – Yeah.

Director Nicely – When I heard about this Resolution HB 2900, I went and looked it up and I couldn't believe the aggressive schedule that they wanted to put in place to make this happen with a utility district and a drainage district. So, I wrote Representative Wilson, this was on March 23, when I wrote to her I said, I have read HB8-2900 and I have to wonder why you introduced this bill to divide Trinity Bay District into two separate entities. I find it hard to believe that you would introduce such legislation and not explain to your constituents in the Trinity Bay Conservation District community the benefits for consequences of such legislation. I would really like to know the reasons for doing this at this time during record inflation. I feel that the costs associated with doing this will put undue burden on the Trinity Bay Conservation District community. Thank you for your time and consideration.

Two hours later she wrote me back. This legislation has passed the house last session and it is the exact same language that was sent over to the Senate. The reasoning and benefits for the bill are also exactly the same and this is not a new issue to the constituents in your area. The Bill was properly noticed for 60 days so it is also not a surprise to the Trinity Bay Conservation District community. Thank you, Terri.

Comments that I have heard is that this is a surprise. Comments that I have heard is that we really do not know what this is. And I went looking for this legislation that supposedly went through the Senate, because I want to know what the benefits are. My house was flooded twice, Harvey and Imelda. I got involved in this to try to straighten things out and now this is coming down the pipe. We can't afford it. We have already raised the water bills because of vendors, fuel costs are going up, our chemical prices are going up for our water plants, we can't get parts for our equipment and now they want to divide it into two. I really do not understand why or how this could go on at this time. So, I agree that this will be done, but it needs to be done after all these other neighborhoods are built so that the costs can be divided by a bigger number of customers instead of making these few folks that are here have to absorb the costs.

I looked at the organization chart and how we would have to split it, the administration alone, I was thinking \$500,000 just for the administration alone, and that is just looking at the organizational chart not talking to the employees that are actually or there doing the work to find out the fec qwan costs. The utility people and the water people, they work together to fix things and I am sure that happens. So, I will find out more as we go along, the aggressive schedule of this thing and how it is coming down the pipe is unreal. I mean, a new Board by September, and then you are looking at complete separation by December or January. So, I really don't understand. That is all I have got to say.

Director Caraway – You know what gets me is, that none of us were contacted prior to this bill being filed. You would think a new Representative would at least talk to people on the Board of Directors maybe the General Manager and try to figure out exactly what is going on. My dad always told me that there is two sides to every story and usually the truth was somewhere in the middle, and that is probably accurate. This is not going to be good for anyone. It is going to costs money, services are going to be less than what they are now, it is going to hurt drainage. I just don't understand why they would want to resurrect this again. I know she said she walked the streets when she was campaigning, she didn't come by my house and I don't know if any of the rest of you talked to her, but she didn't talk to me.



What I want to talk about just a little bit is what we are doing at Trinity Bay. I have only been here about a year, but I can assure you that water and sewer are being operated separately. I look at the financials every month and make sure that we are spending water money on water and sewer money on sewer and drainage on drainage, and you can ask Jerry, most months I have a question about the financials. But they are able to answer them and say okay here is what we are doing, and everything is above board. The Board members and Management here are trying to address issues that affects all of the citizens. We have applied for Grants on both the drainage and water and the sewer side. We are in the process of changing meters to automatic read meters so we will have more accuracy in billing and more accuracy in our water usage. We are currently cleaning Spindletop North of 65, we are taking a hump out of it trying to improve drainage in the western part of Winnie, which is Teacherville and North of I10 with our newly repaired dragline that we spent money to get going. On the west side of our district we have a new sewer plant being built that is getting close to being put into production and we will continue to work with the home builders to upgrade the water and sewer capacities over there. You know, we have a lot of irons in the fire and I think we are doing a good job. The short of it is, splitting us up is going to cost money. Money we can't afford. Water bills will go up and your drainage taxes will go up or we will get less drainage work done. So, that is my opinion.

Vice-President Turner – I would like to say a few things. This bill was introduced two years ago, so undoubtedly you have a Representative that is being influenced by a crowd in the community, who in that case, I had conversations with Mr. Middleton when he was Representative and tried to explain to him that there is nothing good that is going to come out of this except you are going to take the older people that are on a fixed income and their water bill and their sewer bill that they already have at Trinity Bay sewer, you are looking at anywhere from 31 to 35% increase. The money is not there. They don't have it. They are on a fixed income, most of them are living on just Social Security. So where does Representative Wilson think this money is going to come from, are you going to cut their water off and tell them they can't take a bath? It is pretty aggravating to me that you've got someone who doesn't know anything about the business we are in and then tell us how to run it. You take and split this thing up, you've got a whole lot more, that means and by no means are we making money up here for being on this, you've got mileage, you have to have a Secretary, it is going to be a complete divisional split and I am telling you that nothing good can come out of splitting this thing up. Drainage has always worked hand in hand with water and sewer and a few years back a lot of stink was raised about using equipment that is assigned to drainage going to water and sewer. I question you or invite you to ask anybody in Harris County about the drainage and compare our drainage to theirs I ask and invite you to go over to Houston right now except it is not a water department a contract water department because they can't keep up and they can not pass the TCEQ guidelines test. So, it just seems silly to me to split this thing up and cost everybody more money some that can not even afford it. I see no good whatsoever coming from this. And as far as Ms. Wilson claiming she went around in each part of the District here, yeah she went around to a select few that she knew, that the people guiding her around knew would say something bad about the water and sewer. That was a hand-picked little group of people. I never heard about it on the west side of the District. She never knocked on my door either. I wish to hell she would of. I find it very, almost fictitious, for her to make a comment how she went door to door and that was the main concern of people. No, the main concern of people is drainage and decent water and sewer that doesn't backup.

Director Caraway – That is correct. When she talked to people, one of the concerns was they were concerned that their house would flood again. But I find it very hard to believe that she walked up to people and said what is your biggest concern and they said we need to divide the water and sewer company from the drainage district. I find that very difficult to believe.

Vice-President Turner – I do to. And I am not calling anybody out on it.

Director Caraway – Me either.

Vice President Turner - It is a very hard pill for me to swallow that anybody even more or less even less a majority of people that she talked to.

Director Caraway – But I...

Vice President Turner – Who did she talk to 5 people when you were with her (pointing at Gloria)?

Director caraway -I do believe that people do not want their homes to flood again.

Vice President Turner – Well, nobody does.

Director Caraway – And we are going to do what we can but, I think that everyone needs to realize and I do not think everyone in the county does realize is that the County is responsible for a certain portion of drainage, the State is responsible for a certain portion of drainage and then we are responsible for a certain portion of the drainage and we all have to work together to make it work. But, you know, I understand that people don't want their house to flood and I understand that is one of their biggest things but, I don't think dividing us will solve that problem.

Director Nicely – I guarantee you that if she came to the north side of the I10 and asked us about it, we would have told her drainage.

Unidentified guest – You have something (inaudible)



District Counsel Leverette – It is not really a Q&A but you are welcome...

Unidentified guest – (inaudible) It's not...I'll ask later, I'm sorry.

President Kahla – I would just like to add, Trinity Bay we are kind of unique, we don't have the Sabine River and the Neches River running through to help with drainage. It is a large are with a lot of watershed. We've got Liberty counties watershed coming down to us and we probably have as many miles of ditches in Chambers County that we are trying to take care of as DD6 at 1/5 the tax paid revenue, we don't have that kind of money. I am not going to say whether I am for it or against it, I am just going to throw out some facts, okay.

We take care of a lot of miles of ditches with the fraction of the money that some of these bigger places have. We have raised our water rates and still didn't raise them to the point that the people who advised us to raise our rates said to. They told us to raise our rates for years and we did raise our rates and we are able to maintain our water department right now because of increasing those rates and we are getting better at that. Just to go back, I agree with everybody that said I think it is a bad time to split these two entities because of a... I don't even know how it is going to affect our bonds for this building. I don't even know that much. It is a Water and Sewer Bond that is paying for all of this. I don't know, Do the lenders have to agree? I don't know, I don't know how that works. Rick you might have said it there may be a time that we have the tax revenue base to pay those kind of taxes, maybe this is the right thing. Maybe it will be a good thing to create a Special District for the drainage. I am going to finish my part by, you know, I think Terri Wilson, I think she is a good lady. I appreciate her trying to do her best, but, she never asked my opinion, she never asked me what I thought about it, and that would have been a very smart email or phone call away. I never heard from her. It seems to me like, and I'm not saying, but it looks like a preconceived mondain campaign promise or something. I don't know. But I guess that is my stand point. So, anybody else? Jerry you got any more to add?

General Manager Shadden – No sir, I work for the pleasure of the Board.

Director Nicely – I like Terri Wilson too. She is working with us on some drainage issue is it going to be a problem with working with us on drainage issues. I like her a lot. I just feel this is her driving point in moment. And that is all I have.

Director Caraway, made a Motion to adopt Resolution 23-06, a resolution by the Board of Directors of Trinity Bay Conservation District in opposition of House Bill 2900 relating to the creation of a Trinity Bay Special Utility District and the powers and duties of Trinity Bay Conservation District. The motion was seconded by Director Nicely and it passed by unanimous vote.

#### **IV. EXECUTIVE SESSION**

GOVERNMENT CODE 551, SUBCHAPTER D

SECTION 551.071 - CONSULTATION WITH DISTRICT'S ATTORNEY REGARDING POSSIBLE LITIGATION

SECTION 551.072 - DELIBERATION ABOUT REAL PROPERTY

SECTION 551.074 - MATTERS OF PERSONNEL

SECTION 551.075 - CONFERENCE WITH EMPLOYEE

SECTION 551.076 - TO DELIBERATE THE DEPLOYMENT OR SPECIFIC OCCASIONS FOR IMPLEMENTATION OF SECURITY PERSONNEL OR DEVICES

If, during the course of the meeting covered by this Notice, the Board should determine that a closed or executive session of the Board should be held or is required in relation to any agenda item included in this Notice, then such closed or executive meeting or session, as authorized by the Texas Open Meetings Act, will be held by the Board at the date, hour, and place given in this Notice concerning any and all subjects for any and all purposes permitted by §551.071-551.084 of the Texas Government Code and the Texas Open Meetings Act, including, but not limited to, §551.071—for the purpose of a private consultation with the Board's attorney on any or all subjects or matters authorized by law.

#### **V. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION.**

#### **VI. Comments by the Members of the Board.**

Director Nicely – Yes, I do have something I want to talk about and that is the newspaper that was put out, the headline on the newspaper reads TXDot tells Trinity Bay Conservation District fix the downstream before we fix I10 upstream issues. (inaudible). On the second page TXDot says that the most effective way to direct water downstream would be via Spindletop. That is a Bayou that runs, I am sure y'all know. It was determined that there are two major obstacles preventing water from going downstream. They are where Spindletop intersects State Highway 65 and further downstream where Spindletop intersect State Highway 124. Both spots are considered huge blockages that prevent water from flowing downstream towards the intercoastal. So, I don't understand. We don't own those bridges and we don't own those two highways. So, TXDot has placed the blame on Trinity Bay Conservation District for not dealing with the downstream issues. WE are doing everything we can. We have got two



blockages, 65 and 124, we have got to get those resolved. That is going to cost right around \$15,000,000 for those two bridges. They are \$500,000 a piece just for the design of those bridges. Once we present the designs to TXDot they will look at it with a fine tooth comb with their engineers and make suggestions and alterations, so it is roughly about \$500,000 with what they want us to do on their bridges to fix the dam at 65, I call it a dam, at 65 and 124. Somehow or another I think I would put a different course of action on it. TXDot tells Trinity Bay to fix the downstream before we fix I10 upstream issues. And that is TxDot's stance at the meeting that I have been to with them, that they are not doing any projects unless they know how it impacts downstream customers. Well let me tell you something, they said that about a half a dozen other times but not one time did they say anything about fixing and doing a project and being concerned about upstream assets. Somewhere in this article it said after Hurricane Ike that the dam, because Teacherville flooded that the dam was built on I10 to protect Teacherville.

Gloria Roemer – I doesn't say that.

Director Nicely – Somewhere in here I read that.

Gloria Roemer – It doesn't say that.

Director Nicely – Then it was probably in the way this paper, because I know I read it in your paper.

*(inaudible)* Gloria Roemer, and Leverett all speaking together

Constable Brad Moon – Keep your voice down.

Gloria Roemer – Yes sir.

President Kahla – We have a motion to adjourn.

Gloria Roemer – You are such a liar Rick. Oh, by the way, Terri Leo-Wilson won this County by a wide margin. So, apparently people like what she had to say.

President Kahla – I voted for her.

Director Nicely – I voted for her.

Gloria Roemer – Good.

President Kahal – But she never came to me with whatever she decided...

Gloria Roemer – Well I think that is wrong, she should have.

President Kahla – Yes, she should have.

Gloria Roemer - Her message, the people like it, they voted for her overwhelmingly. And I have had people that supposedly represent me too that have never come and knocked on my door to talk to me about things either.

Director Nicely – *(inaudible)*

Gloria Roemer - You know Rick I never saw you anywhere, I never saw you anywhere. I never saw you walking the lines

General Manager Shadden – Thank you all for coming.

Gloria Roemer – Bye Jerry.

President Kahala – I appreciate everybody showing up.

Gloria Roemer – And you need to watch your own YouTube channel Rick and listen to what he said verbatim and Cody said from LJA verbatim. Watch it. But I know it is easier to lie.

## **VII. ADJOURN.**

Director Nicely made a Motion to Adjourn. The motion was seconded by Director Caraway and it passed by unanimous vote.

Meeting Adjourned at 6:36 p.m.

READ AND APPROVED:

Scott Kahla  
Scott Kahla, President

Attest  
Les Hankamer  
Les Hankamer, Secretary

Date: 6-02-23