

MINUTES OF A SPECIAL MEETING
OF
TRINITY BAY CONSERVATION DISTRICT
Friday, April 21, 2023
9:00 O'clock A.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 Friday, April 21, 2023, with the following Directors present:

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

Also present were Jerry Shadden and Crystal Threadgill, District Employees; and Brad Moon, Chambers County Constable.

Agenda Item 1:

President Kahla called the Meeting to order at 9:00 a.m.

Agenda Item 2:

The meeting was opened with a prayer by General Manager Shadden, who then led the Pledge of Allegiance to the American and Texas flags.

General Manager Shadden – I would like to say a prayer for Gregg and his family, he lost his sister this week.

Agenda Item 3:

Public Comment:

None.

Agenda Item 4

REQUEST FOR PROPOSAL FOR APPLICATION DEVELOPMENT AND GRANT ADMINISTRATIVE SERVICES FOR TEXAS GENERAL LAND OFFICE(GLO), TEXAS COASTAL MANAGEMENT GRANTS:

General Manager Shadden – Yes sir, Melinda Smith with Traylor and Associates, she is the one doing our other Grants, so she sent me an email last week saying that GLO has an opportunity currently open that has 2 programs. One is for land-based non-construction projects (invasive species removal and pavilions, and one for construction project. Anything on 2019 Coastal Resiliency Plan would be prioritized. Projects do not have to be included in this plan to be eligible. Additionally, if a project is not currently on the list and not selected for funding, it would be considered for inclusion in the next master plan.

The good news is that this is state funding and no federal funds are involved. The burden for things like environmental reviews is therefore lessened and there are fewer red tape items overall.

Grants are up to \$5,000,000 with no match required. I'm thinking we can find something that would be an attractive application – maybe I10 drainage?

So anyway, this is what she sent me. There are some Grants out there. And again, it used to be with the GLO, you would apply for the Grant and once you were awarded the Grant then you went out and procured an engineer and a Grant Administrator. Now they require you to go ahead and procure a Grant Administrator and an engineering company that way if you do get a Grant, you have already hired them.

Secretary Hankamer – We don't necessarily have to do the work, we just have to say hey we have got these guys hired and if we get the money, they will be doing it.

General Manager Shadden – Yes.

Secretary Hankamer – Okay.

General Manager Shadden – So anyway, you have to send it to like 10 people so there is a list up there that you can send it to and everything else. And sometimes we get 1 or 2 responses or 3 and we go through their rating and decide who we want to pick.

Secretary Hankamer – So basically there is no outlay of cash on this.

General Manager Shadden – Other than the advertisement. That is the only outlay there is.

Secretary Hankamer – So it is free money basically.
General Manager Shadden – Yes.

President Kahla – Yes, so it doesn't really matter. I mean it does matter. Whatever we have to pay the Grant Administrators it is not coming out of our pocket anyway.

General Manger Shadden – No, all that is, they are paid out of the grant if you get it.

President Kahla – Wow, yeah.

General Manager Shadden – All we are paying for is the newspaper ad.

President Kahla – Nope, yeah.

Secretary Hankamer – The just want them hired ahead of time.

General Manager Shadden – Yes.

President Kahla – Yeah.

General Manager Shadden – You got it.

President Kahla – What a great opportunity this is.

Secretary Hankamer – Yeah.

Secretary Hankamer, made a Motion to approve soliciting Request for Proposals for Application Development and Grant Administrative Services for the Texas General Land Offices (GLO), Texas Coastal management Grants. The motion was seconded by Vice-President Turner and Director Nicely and it passed by unanimous vote.

Agenda Item 5:

SOLICITING REQUEST FOR QUALIFICATIONS FOR APPLICATION DEVELOPMENT AND ENGINEERING SERVICE FOR TEXAS GENERAL LAND OFFICE (GLO), TEXAS COASTAL MANAGEMENT GRANTS:

General Manager Shadden – Exact same thing.

Secretary Hankamer – So this is the engineer side.

General Manager Shadden – Yes.

President Kahla – Yeah, got it.

Secretary Hankamer, made a Motion to approve soliciting Request for qualifications for Application Development and Grant Administrative Services for the Texas General Land Offices (GLO), Texas Coastal management Grants. The motion was seconded by Director Nicely and it passed by unanimous vote.

President Kahla – I think that is a wonderful opportunity.

General Manager Shadden – Yes sir. So actually we have Jeff Ward and Associates it is up in Washington D.C. that just did, and I think I sent it to all of y'all, the final on our Hazard Mitigation Plan was approved, so we are good to go. It is finished, it will be recorded and so we can apply for anything that we want to on our own also. So, that was a big deal. Actually, I will let Victor speak on this, he and I went to Austin to the Natural Resources Committee where they were hearing the hearing for our split of Trinity Bay and creating two Boards and stuff like that.

Director Caraway – It has basically been rewritten to where Trinity Bay would no longer be split. The only thing that it would do is be a law instead of a Resolution that is in place, that would require that we not co-mingle funds. And Jerry spoke on behalf of the bill and Terri Leo-Wilson presented the bill to the committee. I think it has made a about 4 moves since then.

General Manager Shadden – Yeah, 2 moves since then. So, it is going forward. So, this is going to put this to sleep. I told the Commission that the concern was during Hurricane Harvey and Hurricane Ike and Imelda that people flooded and everything and they were concerned that we were using drainage money to fund the water department and so on and so forth. So, this bill guarantees that it can't be mixed. You can not use tax money to fund the water and sewer department. If the water and sewer department can not stand on it's own, you are going to have to raise rates, just period. So, this shouldn't affect us at all as we weren't doing that anyway.

Director Caraway – The other thing, we met with Ms. Leo-Wilson in her office for a few minutes and I think going forward she is going to be a real benefit to Trinity Bay. I think she will help us with some projects and cut through some red tape and we will be able to maybe help the public constituents she has as well as the ones in our own district. I am looking forward to working with her.

Vice President Turner – If drainage gets in a bind, they can't get any money from water and sewer.

General Manager Shadden – You can't co-mingle the funds.

Vice President Turner – That is what I am saying.

General Manager Shadden – Yes. And vice-versa.

Vice President Turner – That is going to mean in the future I see a tax increase.

General Manager Shadden – Yes sir, possibly. It just depends on the level of service you want to give. The previous Board evidently didn't want to give too much service, because they did not ever want to raise rates where we could do more. Y'all have been great about that and giving us some money that way we can do more. We procured Phillip Givens to look at equity again and we asked him, we would like to see if there is any way possible to pick up another \$1,000,000 a year in the water side, that way it would give us a \$1,000,000 to do infrastructure, improve the system and whatever it is that we need to do that way we have money to do it with. I asked him to do it at an ethical way that way the hotels pay more, the RV parks pay more and so on and so forth rather than trying to throw it all on the citizens.

Secretary Hankamer – So businesses instead.

General Manager Shadden – Yes. Just kind of a commercial rate and right now the RV parks are getting over, if you have 100 RV's out there and you have a 2" meter, you are just paying a flat fee on the 2" meter and you have 100 out here see. Where if it is an apartment complex or a mobile home park, I require them to have a meter in each one. In fact, the last apartment building they built over here behind the Kinsel, or the old Ford place, there is a meter in each one of those units, even though they pay for it. I make them put a meter in each unit and TCEQ wants that also, because if say for instance we have an apartment complex and you pay one flat fee of \$800 per month, you don't give a damn whether the air conditioner is churning out 40 degrees and you don't care if you leave the water running or not because you are not paying for it. So, TCEQ looks at it as a good thing where people are not wasting water.

President Kahla – Conservation.

Secretary Hankamer – Well you are not gaining anything on the sewer side too.

General Manager Shadden – We were way low on the sewer side. So, this is the other thing he is looking at. So, we are looking at constructive ways to make it fair to everybody. We should have that back, he has had it for about a month, So, we have been working with him and giving him information, so I think that will be coming up here pretty soon and I don't know the best thing to do would be do that in September as part of the Budget. That way we are not doing it individually, it is all part of the Budget and all together.

Secretary Hankamer – Right.

General Manager Shadden – Yeah so, we will be getting into the Budget here pretty soon and we will want to do a future so on and so forth. I pretty much have the format together and everything, all we have to do is plug the numbers in.

Secretary Hankamer – Cool.

General Manager Shadden – I had to huh, Rick over on 1406 where they want me to put 36" pipes underneath there to help that drainage over there, they did that for free whenever James Gibson was here and then TXDot came back and wanted more and more and more information. So, I agreed to pay them some engineering money to do that for us it's time and material so we can get this done. Also, Tommy over there has requested some more information from LJA with the I10 opening so on and so forth. Anyway, I know they don't move fast but it is moving. And, I believe we have a conference call with Gore and all of them here in another week of two on I10 again. We are pushing them as hard as we can on this.

Secretary Hankamer – Did they ever bring up that drainage there that is going towards Hankamer? Between 61 and 1724 and they have got another one of those lines in there and I don't know if it is blocked up or not. They did that 15 or 20 years ago. I didn't know if they ever, if that was open or it is not.

General Manager Shadden – I think the way they made it sound in the beginning was whenever we talked about this, they were going to look at all of those crossings across there.

Secretary Hankamer – Okay.

General Manager Shadden – Now, you have a brand-new person again, twice in a, over in Liberty and you have a brand-new person in Beaumont as the District again. We have been meeting with him and all of them and they seem to be receptive. Then the Judge and I usually get together once every two months or every month for considering the east side drainage deal and Gore comes sometimes and TXDot will come and we will set down, nothing formal or anything, and just talk about things. What we

need and so on and so forth. The only thing that I see that we are desperate for right now, if you have been through the subdivision over there by White's Park, they are building over there like crazy in there, and we just opened to let them do a Phase IV and all we have is a 4" line up front. I am not going to be able to let them build anymore until that line is increased to a 12, because it just can't take any more flow than what it is.

Secretary Hankamer – Does that flow North into Hankamer?

General Manager Shadden – Yes. That flows North into the wetlands at Hankamer. It goes across the highway. At the highway it is a 10, so, we were going to run a 12 up from where they are there up to the highway to give all that service. I have got Sandy Sanderson looking at 3 developments right now and we have another couple of builders coming in so there is about 5 or 6 of these going on. And this is going to have to be done. I am trying to get the, last time the uh, Sandy Sanderson came in and met with us, I told him that if he would buy the pipe, I would put it in. So, it is about \$150,000 for the 12" pipe to put in on the highway out there and he is developing it so. He left out smiling because he can't put a package plant in there for that. Our sewer plant is still scheduled for July. It is looking good. We are going to have a hell of a jump in electrical bills if you look at those big blowers out there, it's an aeration system, so it is going to be a pretty good hit on the electrical system.

Vice President Turner – Any of these Grants from, with moss project down 2936 qualify for that?

General Manager Shadden – Yes sir and it is in the master plan too that I told you they just passed with FEMA and everything else. We put all those in there and ranked all of those projects and I put that project in there for you.

Vice President Turner – Thank you sir.

General Manager Shadden – I sure did. That is not a problem at all. I think Victor brought it up, and said we ought to do as much on that side as we do on this side and I said well it's not 50/50 I don't think but we try to do stuff on your side too, we are cleaning the ditches and stuff. So, and I just met with Mr. Fanchard, they are putting in an Anahuac school and they are trying to put in a retention pond on his property over there. We have a ditch there already.

Secretary Hankamer – Across from the elementary?

General Manager Shadden – Yes. So anyway, I think we got that worked out with him. I went and talked with him face to face yesterday, him and Bobby Hall, and I think we got all of that worked out. He is a nice fellow.

II. 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.

III. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION.

VI. Comments by the Members of the Board.

Director Nicely – The only I have is, I did read in here on the email this will need to be posted in 1 newspaper and that will be the Hometown Press?

General Manager Shadden – We usually post in both. We put it in The Progress and the Hometown Press, so we are on both sides.

Director Nicely – Okay.

V. ADJOURN.

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

Meeting Adjourned at 9:18 a.m.

READ AND APPROVED:



Scott Kahla, President

Attest



Les Hankamer, Secretary

Date: 6-02-23