

MINUTES OF A REGULAR MEETING  
OF  
TRINITY BAY CONSERVATION DISTRICT  
Wednesday, May 10, 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 Wednesday, May 10, 2023, with the following Directors present:

|                |                |
|----------------|----------------|
| Gregg Turner   | Vice-President |
| Richard Nicely | Director       |
| Victor Caraway | Director       |

Also present were Jerry Shadden, Crystal Threadgill, Mike Will, David Hoyt and Amos Roy, District Employees; Kate Leverett of Germer, District Counsel, Gloria Roemer and Sharisa Nelson of the Seabreeze Beacon, Wade Thibodeaux of the Hometown Press, Susan LeBlanc from Representative Leo-Wilson's office, Calvin Prosen and Jared Defrancis of LJA Engineering, Anette Rayburn and Brad Moon, Chambers County Constable, Rachel Hisler, George Hisler and Bobby Way.

**Agenda Item 1:**

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

**Agenda Item 2:**

The meeting was opened with a prayer by General Manager Shadden.  
Vice President Turner led the Pledge of Allegiance to the American and Texas flags.

**Agenda Item 3:**

PUBLIC COMMENT:

Gloria Roemer – Yes, I have a question about #10 on the agenda. About LJA designing the expansion of, you can read it, it says not to exceed \$6000,000 from CD #7080281 pending matching funds from Chambers County. I talked to \_\_\_\_\_ at Chambers County in the Grant Division and I have done a FOIA as well. There is nothing, there are no grant funds being awarded to Chambers County, there is nothing working with Chambers County at the time. The other question I said is the \$600,000 from that CD, that is a cash account. This wasn't budgeted, we have no money in a savings account and no money in a contingency fund. The question is, where is the money coming from and how is LJA going to be paid for a \$600,000 project when we have no money in savings or contingency? I am asking the Board to have little bit of intellectual curiosity as to how all of this is going to happen and have it explained like you would explain it to a 6<sup>th</sup> grader, which is somebody like me about where the money is and where it is coming from. Nobody has ever done that because the balance sheet and income statement have never been presented in that manner where you can look and see where everything is coming from. I get beat up all the time by y'all, about fake news or something like that, which is fine it just rolls off my back. But the thing is, because I ask legitimate questions, and never get an answer. None of these CD's are explained properly. I have asked before that we have our accountant, who used to sit here, to explain the financial statements as opposed to the General Manager. Because a lot of it isn't what is said but how it is presented. How they present it so you can understand it. You see this weather out here, you see these ditches, you see everything, but it is never explained to how are we going to pay to have this done. We have our Budget and that is to maintain what we have, but any new projects or anything there is no money for. There has been no money for.

**Agenda Item 4:**

MINUTES:

Director Nicely, made a Motion to approve the Minutes of a Special Meeting held March 30, 2023, Regular Meeting held April 12, 2023 and a Special Meeting held April 21, 2023. The motion was seconded by Director Caraway and it passed by unanimous vote.

**Agenda Item 5:**

FINANCIAL REPORTS:

Director Caraway, made a Motion to approve the Financial Reports for April 30, 2023. The motion was seconded by Director Nicely and it passed by unanimous vote.

**Agenda Item 6:**

TAX REPORTS:

Director Caraway made a Motion to approve the Tax Reports for April 30, 2023. The motion was seconded by Director Nicely and it passed by unanimous vote.

**Agenda Item 7:**  
ACCOUNTS PAYABLE:

Director Nicely, made a Motion to approve the Accounts Payable. The motion was seconded by Director Caraway and it passed by unanimous vote.

**Agenda Item 8:**  
RESCINDING RESOLUTION 23-09 OPPOSING 88-HB 2900 CREATING A SPECIAL UTILITY DISTRICT:

General Manager Shadden – We opposed the Bill and we are looking at rescinding it, because we were able to get Representative Leo-Wilson to rewrite the Bill with something that we agreed with. It has passed the House and it is now in the Senate Committee, so we can continue to Table it for another month until it has completely passed the Senate and become Law.

Counsel Kate Leverett – It is the pleasure of the Board. HB 2900 it has passed the House now and in the Senate and the way Representative Leo-Wilson amended it was to just put in there that ad valorem taxed monies can only be used for administrative costs and for drainage, which is what you have been doing for the past couple of years and so we were agreeable to it. But there is still a chance that when it is in the Senate there could be another substitute, but I doubt it. We can table it until it is fully passed through or you can all rescind it, it is the pleasure of the Board. I think that session is going to be coming to a pretty quick end.

Vice President Turner – Susan would you like to speak on it?

Susan Leblanc – Sure. Session will be over by the time you have your next Board meeting unless a Special session is called. But at this point it has passed the House and with the clarification at the very end of it that the administrative costs and they struck the administrative cost and substituted reasonable administrative costs associated with overseeing flood and drainage communications. It was just a clarification of what that meant. The agreement to use drainage money for drainage and fresh water for fresh water is what this bill was about.

General Manager Shadden – But Trinity Bay can continue to share people and equipment to get the job done?

Susan LeBlanc – Just that the books are kept separately as it has been stated it is being done. And we talked about the financials being readily accessible so that can be seen by the community.

General Manger Shadden – Yes, they are on our website.

Director Caraway made a Motion to approve Rescinding Resolution 23-09 opposing 88-HB 2900 creating a Special Utility District. The motion was seconded by Director Nicely and it passed by unanimous vote.

**Agenda Item 9:**  
RESOLUTION 23-08 IN SUPPORT OF 88-HB 2900 RESTRICTING THE USE OF DRAINAGE MAINTENANCE AND OPERATIONS TAXES TO FUND WATER AND SEWER OPERATIONS:

District Counsel Kate Leverett – This Resolution just provides that you all are supporting HB 2900 as amended and passed by the House that basically states that drainage funds are used for drainage and water and sewer is used for water and sewer and It will remain one entity like it has always been.

Director Caraway, made a Motion to approve Resolution 23-08 in support of 88-HB 2900 restricting the use of Drainage and Maintenance and Operations Taxes to fund Water and Sewer operation. The motion was seconded by Director Nicely and it passed by unanimous vote.

**Agenda Item 10:**  
LJA TO DESIGN THE EXPANSION OF HWY 65 AND HWY 124 BRIDGES:

General Manager Shadden – We had a zoom phone call with TxDot, Leo-Wilson's office, the County, Victor and Rick were there, and the path forward to do anything more with Spindletop is the bridges have to be replaced. At this time both bridges are in good enough shape that TXDot will not replace them. TxDot is telling us that we need to engineer what we want done there and put it all together as far as a project with what kind of bridge we want, size, traffic control, everything to do with doing the project and submit it to them and they will fund it. Now that does not mean that it is going to fund tomorrow, it might be next year before they fund it or 2 years before they fund it but they will put it in the que to fund it and he said it is possible that they could move some things to move it up some.

We are cleaning the upper end of Spindletop right now, and we have about another 3 weeks to a month depending on weather. I received word today that we are not required to have a permit on the South side all the way down to the weir. The weir is considered where the saltwater tide stops. So, we can clean it on the South side all the way down to the weir which is past 124. We need to clean it from 65 to 124 and replace that bridge also.

We are asking to go from 1000 square foot on the opening on both bridges to 4000 square foot. If you figure a 10 x 10 box is 100 square feet, you would have boxes all up down the highway, so it will have

to be a bridge that is put back there to do what needs to be done. We have a General Fund of \$2,257,000.00 that is our operating budget, that is what we use to operate the Drainage through the year. We have another CD which is the money we made from FEMA and the General Land Office and doing other projects. So, this money is in a CD just sitting there, it is unrestricted and can be spent any way we want to, other than we cannot spend it on Water. We have \$2,465,634.76 in a General Fund CD that \$600,000.00 would come out of. In the meeting at the time the County talked like we could each come up with half of the money. Now how they decide they are going to get their money or not, I do not know, but this is why this is written "pending" a match from Chambers County. TBCD has the \$600,000.00 in a savings account and we can pay our part and it is now up to the County to do their part. It is about \$1.2 million to design both bridges and I asked the question if Highway 124 was going to be widened since there is so much going on down at the beach and they stated there is no plan to do that. Victor asked if there was going to be anything done through town and there is not, there is nothing going to be done on 65. We are applying for Grants through Texas Coastal Resiliency Fund, not saying we will be awarded this, but we have our hands out everywhere. We will have Spindletop totally cleaned out and it will handle the 4000 square feet from I10 all the way down. They are still working on I10 themselves. They ask for information every now and then, but I believe it is all the way onto Austin right now to where they are looking at doing something with I10. At this time, if we were to get a Grant and it was an 80/20 match, for 6 – 8 million dollars, that is less than the 20% Grant and we get two bridges. So, this is our step forward.

Director Caraway – TXDot did say they would fund this project if we designed it?

General Manager Shadden – I asked them 3 times.

Director Caraway – You did. But I understand that they work on about a 4-year plan so, it could be as far out as 5 years before this gets done. But, these two projects will greatly help anything West of 1406, which would be the teacherville area and the area North of I10 that flooded. So, this has to be done in order to facilitate that.

Director Nicely – But doing these 2 bridges is not going to help anything North of I10.

*(inaudible – speaking over each other)*

Director Caraway – They won't do that until these 2 bridges are done. So, this must be done first.

Director Nicely – Victor is absolutely right, 124 and 65 are both levy's and are basically holding back the water. Back on March 21, 2023 the Seabreeze Beacon reports that Hurricane Ike and the closure on I10 between Beaumont and Anahuac/Liberty/Hankamer, TXDot made the decision to place concrete barriers along I10 to "Help ease the flooding on areas South of I10. They made that decision, but all the time talking about, they have to have studies that show that nothing is getting impacted downstream before they will do their projects. I do not know what studies they used when they opened up these windows along I10, but all that water that you see on that screensaver that Jerry has that shows water up to the levy on I10, you are never going to see that again. That is a historical picture. All that water now is going to be heading South. And these 2 bridges 65 and 124 is going to be levy, so that water is coming into Winnie and Stowell and Jefferson County, because it is going to make its way into Mayhaw. So, these projects need to get done. We need the County's help, Trinity Bay's constituents help, we need the people here in Chambers County in the Winnie-Stowell area to get a hold of your Representatives and get us some help to get this done. It must be done because that water has to go somewhere.

Director Caraway – It is a lot of money to do the design work and it stings a little bit, but we have the money, that money in my opinion has been sitting there to be used on matching funds for grants. But at this point, we need to get this done and if we get grants in the future, we will tackle that as we come to it. We will try to save some money in next year's budget and this year's budget, we may have some extra money as well.

General Manager Shadden – When Trinity Bay was created, the Board borrowed \$15,000,000.00 to dig Spindletop from the Intercoastal all the way into town. People are after us about drainage all the time. We have to be bold and move forward. If you never throw a stone, you are never going to make a wave. So, it has to be done.

Director Caraway, made a Motion to approve having LJA Engineering design the expansion of Hwy 65 and Hwy 124 bridges not to exceed \$600,000 from CD #7080281 pending matching funds from Chambers County. The motion was seconded by Director Nicely and it passed by unanimous vote.

**Agenda Item 11:**

EXTEND CROWDER GULF DISASTER CLEANUP CONTRACT:

General Manager Shadden – They do our debris pick up, they provide us generators and all kind of a push package. If a hurricane comes in and it is declared a disaster area, then Crowder Gulf is our people that come in and do all the clean up or whatever it is that you need. During Ike it was like \$10,000,00.00 worth of lumber debris plus you have white goods, which is washing machines, dryers and things like that. One of the reasons why we picked Crowder Gulf is because they have the ability to do it in a wash. It is in our contract, we actually have a line item, that way they can do inside of our ditches and clean them out down below. The next contract, Item #12, which goes along with it is Thompson Consulting Services, they are the monitoring company. They watch, you have a person on

site at every place they are picking up debris and they GPS and take pictures and follow it all the way to the disposal site, take pictures, weight it and make sure that everything is done to FEMA's standards so we can get reimbursed for the disaster.

Director Nicely, made a Motion to approve extending Crowder Gulf's disaster cleanup contract for one year. The motion was seconded by Director Caraway and it passed by unanimous vote.

**Agenda Item 12:**

EXTENDING THOMPSON CONSULTING SERVICES, LLC'S AGREEMENT FOR DISASTER MONITORING:

Vice President Turner – Just like Jerry explained, they are the watch dog over Crowder Gulf.

Director Caraway, made a Motion to approve extending Thompson Consulting Services, LLC's agreement for disaster monitoring for one year. The motion was seconded by Director Nicely and it passed by unanimous vote.

**Agenda Item 13:**

DRAINAGE EASEMENT AT FM 1406 AND DEVILLIER ROAD:

General Manager Shadden – We have been working with TXDot to increase to two 36's under 1406 to improve drainage on that side. Since then, if you look at (maps), this is the Bee place here and the red line is the ditch where I am asking to acquire the easement. On the South side, which would be below the line, somebody bought that property. This is not a ditch it is more of a sleuth that drained over to our ditch. That is our ditch where the tree line is. What has happened is, they have stopped the ditch up to where it can't drain anymore, so I have contacted the people that own the Bee processing plant and they have agreed to give me an easement from there over to our ditch so we can reroute it. These people are supposed to be building a great big home there, so they have been in there with a trackhoe and a dozer and dug a pond which blocked the sleuth up. They agreed to give us an easement, so I am going to put a set of plans together and write it up and get an easement that way we actually own that ditch and it will go back to our ditch in the back.

Vice President Turner – Will they be responsible for the attorney fees and the survey?

General Manager Shadden – At this time I am going to say we will probably going to have to eat it to be honest with you. Because there is no ditch there now, it is actually just a rice field slueth and it was the way it was drained. The green line there is the utility easement that wide through there and that is where all of our utilities are coming through there for the water and sewer for our plant. There is a little bit of rise going back to where it is going to dump into. The ditch will probably be about 4 or 5 feet deep there, and the other is just a sleuth. All I am asking LJA to do is talk to Cody and see what size ditch we will need there to accommodate those two 36's coming across the road. TXDot has agreed to replace the two 36's underneath 1406.

Vice President Turner – Is this going to help drain 1406?

General Manager Shadden – This is going to help drain all of Devillier Road all the way back to the LNVA canal.

Director Nicely – It is also going to help drain Chase Road, Winzer Road and all that water now is coming South from the West side of 1406 and that is contributing to us. During Harvey and Imelda you just had a little stream coming through here to that sleuth getting to Trinity Bay drainage over here on the East side. We stayed flooded for 5 day and 7 days respectively per storm. This stuff is going to help open it up to drain the Winzer and Chase Road area North of Devillier Road and bring that water down and out. If you look all that water on the East side coming down 1406 it doesn't drain. It all gets pushed back under the road at 1406 up North and comes down that way and gets all the homes on the West side of 1406.

Director Caraway – We don't think it is going to be a negative impact on all of the homeowners and landowners East of 1406, do we?

General Manager Shadden – No, this was rice field flat area in there and from there it goes underneath I10, it goes past Waffle House and Tia Juanita's and goes out that way. We have cleaned all of those ditches out through there and it goes into Mayhaw and Brush Island Road.

David Hoyt – Ordinarily there is a ditch where that red line is and you walk up to it and jump across it. This morning when I came through there, there is a path 40 ft wide of water where it is trying to run that way. Where it goes back and hits Trinity Bay's ditch right here, we went back there about a year to a year and half ago and cleaned that ditch, took all those undersized pipes out all the way through the sand pit through the mat company, I think we went from probably and 18 or 20 to two 36's in there. It was way undersized and cleaned it like Jerry said all the way up to Tia Juanita's. We used to clean the ditch beside the truck stop and the truck stop won't let us on their property anymore, because when the new people took it over, they replaced all that concrete, so that part we can only spray. From Tia Juanita's all the way through all those pipes have already been upsized and they are ready for this to be opened up.

Director Nicely – There is more water accumulated there than I have seen in Imelda or Harvey on the East side. That water is getting up close and it is supposed to be another 2 ½” of water coming down, I wouldn’t be surprised if it doesn’t get up to the slab at the bee place. I have gotten three text and phone calls...

Vice President Turner – Which one of your District’s is that in?

Director Nicely – Mine, that is why I know so much about it.

Director Nicely, made a Motion to approve acquiring a drainage easement at FM 14016 and Devillier Road. The motion was seconded by Director Caraway and it passed by unanimous vote.

**Agenda Item 14:**

**PROPOSALS FOR PROFESSIONAL GRANT ADMINISTRATION:**

General Manager Shadden – We only received one Grant Administrator from Traylor and Associates and they are the ones that brought us this Grant opportunity. By law, you have to send it out to 10 people, and you have to contact them by email or send it to them directly. We went through all the process and Traylor is the only one that responded., so I recommend that we hire Traylor and Associates to be the Grant Administrator.

Director Caraway, made a Motion to approve accepting qualified proposals for Professional Grant Administration Service for the Texas General Land Office (GLO), Texas Coastal Management Grants. The motion was seconded by Director Nicely and it passed by unanimous vote.

**Agenda Item 15:**

**PROPOSALS FOR ENGINEERING SERVICE:**

General Manager Shadden – We receive 3 engineering service proposals, SBA, Fitz and Shipman and LJA. We put a committee together and looked at all of their qualifications, what they do and specialize in. Through this process, we feel like LJA would do the best job for us, plus they are our engineer of record.

Director Caraway, made a Motion to approve accepting the most qualified proposal for engineering services for Texas Grant Land Office (GLO), Texas Coastal management Grants. The motion was seconded by Director Nicely and it passed by unanimous vote. The GLO will pay then through the Grant if we get it.

**Agenda Item 16:**

**LEASE AGREEMENT WITH KOMATSU FOR PC290 W/ POWERPACK/FECON BHP270 AND BH080:**

General Manager Shadden – This was passed in the General budget last year the problem is that the Fecon package has been on backorder. We have been waiting on the pony motor and the fecon, so that they can put the thing together. Now that they have all this stuff, we are ready to enter into a lease agreement.

Director Nicely, made a Motion to approve entering into a lease agreement with Komatsu Financial and the (HGAC) for a PC290 w/ Power Pack.Fecon BH270 & BH080. The motion was seconded by Director Caraway and it passed by unanimous vote.

**Agenda Item 17:**

**LJA TO DEVELOP SET OF PLANS:**

General Manager Shadden – This is on Highway 61 at Cypress Point, they just opened area 4 which is right here (referring to map on Power Point Presentation). Across the street they are looking at putting another 200 homes in on that side. If you go back, this whole area here there will be 1000 homes int there. Right now, the green lines that you are seeing there is the 4” sewer force main and at this time, they can not build anymore houses until we upsize this line. What I am having LJA do, is design it to a 12” that way it will be able to handle everything in that area that is being built. I haven’t completely signed on the dotted line yet, but I believe the home builders are agreeing to pay for the pipe and Trinity Bay will install it and I am having them pay half of the engineering fee to be able to upsize that pipe. I met with t hem yesterday and asked for \$150,000 for the pipe and another \$15,000 for half of the engineering fee and this should take care of about 1250 homes.

The next thing is that when we put in 1250 homes that .3 sewer plant that we just built is out of capacity.

Vice President Turner – We originally asked for a 6.

General Manager Shadden – Yes sir. I fought pretty hard to get that 6, but we didn’t, and we have a 3 and it is going online in July. So, we are in good shape as far as having the plant done. This is the next critical infrastructure that must be upsized to tie any more homes on to it. It is on a 4” and it is maxed out. You can see how many houses this is and this picture is probably six months old and they are already building in #4 there.

Vice President Turner – So before we get our new plant in Hankamer up and running it is already obsolete.

General Manager Shadden – Probably within 2 years. We will have to start looking for funding or we are going to have to sell bonds and add to it.

Vice President Turner – It was a lot cheaper to build the 6 back then.

General Manager Shadden – Probably half of the price. Jared is also looking at everything we have going back to Anahuac. We have a .2 in Anahuac. Anahuac is upsizing their sewer plant right now to a .7, and we might have to go in there and upsize our .2. When they put in the new jail they won't have a lot left over. This might be 2 – 5 years down the road, but it is something to plan for.

Director Caraway, made a Motion to approve LJA Engineering to develop a set of plans including utility locates, utility alignments, coordinate with TXDOT on permit, provide a set of specifications, and submit the design to TCEQ for approval at an estimated cost for the design at \$39,000.00. The motion was seconded by Director Nicely and it passed by unanimous vote.

**Agenda Item 18:**

**REPLACE TELEPHONE SYSTEM:**

General Manager Shadden – We put these in back when we were on Broadway and now the phone system is out of date. When we built this building, I had Spectrum run fiber optic in here, so we have good phone and internet for the business and that contract is up also. We are going to replace the phones and since the fiber optic that we have in here is paid for we are decreasing our payments by \$1100.00. The other thing is when we put the old phone system in it could not run fax and other things like that. So not only am I paying Spectrum for voice and internet I am also having to pay Windstream to run in here for fax machines. So we will bring it all into one package and we are thinking we can maybe go all the way to the water plant in Winnie and have the same phone system there because they are Spectrum also.

Director Caraway, made a Motion to approve replacing the office complex telephone system that is no longer serviceable. The motion was seconded by Director Nicely and it passed by unanimous vote.

**Agenda Item 19:**

**RESOLUTION 23-10 REQUIRING SHUT OFF VALVE ON THE CUSTOMER SIDE OF THE METER:**

General Manager Shadden – We have several people call and want us to come out and turn their water off and on newer stuff we require them to have a shut off valve in there. So, I want to let Mike explain. We have turned 80 off already this year.

Mike Will – We turned more than that off if you include all the ones we had at the very end of December. But yes, just this year alone is 80. The week of December alone during that cold weather we shut off about 125.

What happens to us in those situations is where people have damage to their service is they have water blowing out, let say it is froze and they don't realize it and you shut it off and the lines break, they then have a high usage and we have to go back and give them a leak adjustment because of the way our Resolution is written. It would save the District money and save time having the service man go out there and shut these off. It is a convenience for the homeowner, up front they have to spend a little to put that valve in. What we are asking for is if you call us, we will go out there and turn your water off, and if you call us again, we will go out there and turn it back on at no cost. But, at this time they will be notified that if they call us out again, they will be charged a \$25.00 fee to turn it off and if you call us back out to turn it on, it will be another \$25.00 fee just to try to entice them to put that valve in for their sake and for ours.

Vice President Turner – With this valve they will be able to shut the water off themselves?

Mike Will – That is correct.

Director Nicely, made a Motion to approve Resolution 23-10 requiring a shut off valve on the customers side of the meter. The motion was seconded by Director Caraway and it passed by unanimous vote.

**Agenda Item 20:**

**SAFETY MEETING LUNCHEON:**

General Manager Shadden – Our people have been working very hard and doing lots of work and they are doing a good job. It is about six months into crawfish season and we would like to give them a safety luncheon to reward them for working safe.

Director Caraway, made a Motion to approve a safety meeting luncheon for the staff. The motion was seconded by Director Nicely and it passed by unanimous vote.

## II. DRAINAGE REPORT:

Amos Roy presented the drainage report on various areas of the District:

### SPINDLETOP BAYOU:

Dragline – The dragline is currently North of the “Winnie Ditch” removing the islands and sand bars that are in the middle of the Bayou.

NOTE: Moved on the North side of the ”Winnie Ditch” 5-2-23.

Komatsu Dozer – This machine is assisting the dragline on Spindletop Bayou knocking down and spreading the dirt that the dragline moves as well as correcting the shelf.

### OGDEN DITCH:

Cat 329 Bucket/Hammer: We are using this machine to construct the Doornbos bridge over Ogden ditch.

Komatsu Grinder – This machine is working on the South side of the ditch heading upstream. The vegetation is light apart from a few hardwood trees that the short reach fecon assisted with.

Newest Fecon – Placed this machine with the Komatsu Grinder to take care of some large hardwood trees along the right of way on Ogden after it finished the last ditch.

NOTE: Once these machines finished, we moved the Komatsu to the East leg of Elm Bayou and the Fecon back downstream to help with lifting beams for the bridge job. 5-3-23.

### OYSTER BAYOU:

Long Reach 60' – This machine is still on the East side of Oyster Bayou South of Fairview moving in a Southernly direction. The vegetation is very heavy with trees.

D3 Dozer – Recently moves this machine to Oyster Bayou with the 60' machine to correct the right of way.

### MAYHAW DIVERSION:

Long Reach 50' – Used this machine to dip out a section of the Mayhaw Diversion.

NOTE: On 5-4-23 we moved this machine to Spindletop to assist with relaying some dirt.

### ANAHUAC NORTH OF 65:

Cat 308 – Currently dipping this ditch and we are going to set some pipes to increase flow through two crossings.

### ELM BAYOU:

Komatsu Mower – This machine is dipping this section of ditch starting West of Canal Road and heading in a Northern direction. This machine averages about 450' per day depending on the vegetation. This machine finished on 5-3-23 and we moved it to a Tributary of Taylor's Bayou that the Fecon recently finished.

### SPRAY CREWS:

The crews have started applying herbicides to areas and assisted the aerial contractor. We took delivery of the new batwing mover on 5-2-23. The aerial contractor sprayed for us as well and covered approximately 85 miles (850 acres) of major ditch. (This includes both sides of the ditches).

## III. UTILITIES REPORT:

Mike Will reported on Water and Wastewater.

### 1. Updated on the new Hankamer WWTP.

- The contractor has installed all major piping for the aeration, digesters and chlorine chambers.
- The contractor has begun filling the aeration chambers for testing diffusers.
- Equipment startup and unit testing is scheduled for mid-May.
- The clarifier is on schedule to be completed this month.
- Clean up and final touch up painting on units will be performed during unit testing.

- The force main is scheduled to be hooked up to the headworks this month.
  - The project is on schedule to be completed by the July deadline.
2. Update on the condition of the Oak Island WWTP.
- The photos show the condition of the plant.
  - We had PEECO (the plant manufacturer) come out a couple of weeks ago to replace one of the clarifier chains and the skimmer board clips. They are working on a quote to replace guides, sprockets, shafts, skimmer boards and v-notch weir chambers. We have to make emergency repairs on the v-notch weir chambers a couple of months ago due to the corrosion.
  - See attached report that shows the flows at the WWTP. This report shows major I&I issues in the wastewater collection system.
3. Completed water and sewer installations.
- 2 residential grinder stations
  - 160' of sewer discharge line.
  - 1 fire hydrant
  - 630 Feet of water line
  - 3 Water meters
  - Changed out 478 meters as part of the meter change out program

#### **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 – Last month, the Board, employees of Trinity Bay, special guests that were here, had to sit through an almost three-minute dissertation by Gloria Roemer and she talked about our attorney and a Resolution that was supposed to be presented to the Commissioner of Chambers County at Commissioners court about a separation of Trinity Bay and a couple of Commissioners on Chambers County Commissioners said isn't Trinity Bay under federal investigation, they said no. They called Cheryl Leake, Cheryl Leake as she told me, yes Trinity Bay is under federal investigation, so they declined to present the Resolution because they did not want to get caught up in a federal investigation by supporting something for or against what Trinity Bay was presenting. She accused our attorney of not doing her due diligence. I contacted the Commissioners and I texted them and said basically the same thing and he called me up and said I do not know where that story came from it was never on the Commissioner Court agenda. The Commissioners got word that Jerry and Victor had talked to Representative Wilson and had gotten everything straightened out so they took it off of their agenda. So where this story came from, it was obviously made up.

Gloria Roemer – You are such a liar Rick. You are smarter than that, you are smarter than that.

Director Nicely – So anyway, I believe that the credibility of Ms. Gloria Roemer has gone down the drain and she is trying to take Cheryl Leake with her on all this stuff.

Gloria Roemer – Have you spoken with the District attorney? Have you asked her sir?

Director Nicely – I have called that woman three times.

Gloria Roemer - Have you talked to her?

Director Nicely – She won't return my calls. I call and she won't get on the phone.



Gloria Roemer – This is the reason why, you’re a nut case. You are a nut case Rick.

Director Nicely – Okay. So, I apologize to our attorney for having to sit through something like that and I apologize to the Board and the employees of Trinity Bay for having to sit through something like that. Y’all are better than that, and the guest that come to this meeting, I apologize. I will be doing some more checking on this and see if we can’t possible do something about that with consequences.

Gloria Roemer – Please do. And I apologize to the Board for having such a nut case in the meeting who makes up things without doing his due diligence. It is called slander.

*(Inaudible – speaking over each other)*

Vice President Turner – Do we have a reason to go into executive Session?

General Manager Shadden – No.

Vice President Turner – I think I need a Motion.

**VII. ADJOURN.**

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

Meeting Adjourned at 10:22 a.m.

READ AND APPROVED:

  
\_\_\_\_\_  
Scott Kahla, President

Attest

  
\_\_\_\_\_  
Les Hankamer, Secretary

Date: 6-14-23