

MINUTES OF A REGULAR MEETING
OF
TRINITY BAY CONSERVATION DISTRICT
Wednesday, June 14, 2023
11:00 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, June 14, 2023, with the following Directors present:

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

Also present were Jerry Shadden, Crystal Threadgill, Mike Will, and Amos Roy, District Employees; Kate Leverett of Germer, District Counsel, Paige Browne, intern to Kate Leverett, Gloria Roemer and Sharisa Nelson of the Seabreeze Beacon, Wade Thibodeaux of the Hometown Press and Brad Moon, Chambers County Constable, John Jenkins, and Susan LeBlanc of Representative Leo-Wilson's office.

Agenda Item 1:

President Kahla called the Meeting to order at 10:59 a.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:

Gloria Roemer – Thank you Scott and the Board for giving me the opportunity to speak with you a couple of minutes. This is a rhetorical question, when you have a Board member who in open meeting repeatedly month after month makes false statements, false accusations, slanders in your face a member of the public, who is also a customer of Trinity Bay and you ask and file a FOIA to get information from him to back up what he said and there is none, there is no documentation, nothing at all that he can prove what he has said, are y'all liable as a Board for the falsehoods that he is saying? Because if it continues, it is going to come to that, it is going to come to that, or he will be liable for the things he said and will y'all be liable for allowing him to say the things he says.

I also filed a FOIA for your legal counsels to tell me where it says that it is legal to have comments by the Board on the Agenda. She sent me this stuff that basically has to do with public comments. I sent it to two different attorneys who deal with public entities and they said they have never seen that before, they have never heard of comments by the Board as an Agenda item before and that what she sent me in response to that was just legalese babble.

Then I also want to ask the question, when your legal counsel blatantly lies to you and makes a statement to you all and she can't back it up, why do you still have her as your legal counsel? What makes you think she is doing her due diligence on everything else if she can't do a due diligence on a simple question, Is Trinity Bay still under federal investigation?

Thank you.

Agenda Item 4:

MINUTES:

Director Nicely – I have read the minutes and see no changes needing to be made.

Director Nicely, made a Motion to approve the Minutes of Regular Meeting held May 10, 2023. The motion was seconded by Director Caraway and it passed by unanimous vote.

Agenda Item 5:

FINANCIAL REPORTS:

Presented by General Manager Shadden.

Secretary Hankamer, made a Motion to approve the Financial Reports for May 31, 2023. The motion was seconded by Vice President Turner and it passed by unanimous vote.

Agenda Item 6:

TAX REPORTS:

Director Caraway made a Motion to approve the Tax Reports for May 31, 2023. The motion was seconded by Director Nicely and it passed by unanimous vote.

Agenda Item 7:

ACCOUNTS PAYABLE:

Secretary Hankamer, made a Motion to approve the Accounts Payable. The motion was seconded by Vice-President Turner and it passed by unanimous vote.

Agenda Item 8:

PLUMMER TO ANALYZE SEWER SYSTEM DATA:

General Manager Shadden – Where we are at right now is, we are putting .08 into Hankamer Wetlands right now and it is a .1 which is 100,000 gallons a day and we are putting in 80,000 gallons a day. Normally when we have a subdivision coming in, we will have them do a capacity study. If you remember, the Board passed this about 3 month ago, that everybody is going to have to do a capacity study that way we can make sure that we are able to take the sewer and we have the water to handle it. What LJA did was they came and put their projections with everything built out. So, if they built out all the subdivisions that are scheduled to go in right now, then we would run out of capacity. If you look at their projections, they projected in the beginning to build 150 houses a year and now it has dropped down to build about 100 a year and we think it is even a little bit lower than that. We do have some time left. The .3 will come on in July (new sewer plant in Hankamer), right now we are putting about .1 into Anahuac and we have a .2 there, so we have another .1 to go into Anahuac. Oak Island is at 80%, it is a .1 and we are putting a .08 in it. Plummer's expertise is sewer and I want to do is have them come in and analyze all three plants and tell us what we need to do for the next 20-30 years in the future. This will give us enough time to put a plan together to say we might want to build one regional plant and bring everything to it or they will tell us we need to build another small one here and up the capacity, I am not sure what the study is going to show yet. But what I want them to do is come in and analyze all of the data and make a recommendation for Trinity Bay to get us 20-30 years down the road and if we need to build a million gallon a day sewer plant that will last for the next 30 years that is what we need to do. Also, with the upped capacities we have now, I want them to look at being able to that if we have growth and it can't go to Anahuac, can move it to Oak Island or can we move it to Hankamer until we can get the thing, give us a definite plan to where we are able to make it to the future and give us time to build a new plant in the future. I have already applied for Grants for this. I am looking 20-30 years in the future and we can come up with a plan. I am not far enough into this to get a price, my rough estimate on something like this is usually around \$50,000.00 but I will bring that back to the Board. They are coming down in July to look at everything we have and then they can give us a costs of what they want to do this study and what it is going to take for us to be sustainable in the future. When we are through with that, not only the plants but we will need to look at the lines to get it there. So, where I have a 4" now, I might need a 12" in the future. Same thing with the water. We have a 2 ½ million gallon a day plant we are only putting out about 800,00 to 900,000 gallons a day, the problem is, is that the Winnie plant only has an 8" line. We cannot push 2 ½ million gallons out of an 8" line, so this something that is going to have to be looked at for the future also, that these lines need to be upsized to make sure we have enough water going to Stowell, we have enough capacity, above ground storage and fire protection and enough ground storage to make sure we have what is required by the TCEQ. This is a long-term kind of thing, not something that is going to be finished in a month or two or three.

No action needed; this was informational only.

Agenda Item 9:

REPLACING JENKINS WEIR DUE TO DETERIORATION:

General Manager Shadden – Since I have been here, we have repaired Mr. Jenkins weir about three times. This thing is so old, and the concrete is deteriorating. I promised him when I finished all of the FEMA projects that we would come out there and take care of his stuff. I put a copy of the minutes from 2002 in front of you where the Board approved that they would take responsibility for that weir, keep it in good shape and take care of it. I have the sheet piling and I beam that we need to repair it, about the only costs that it would be to us is some rebar and concrete to put a concrete bar on top of it. I do not have an exact cost. Mr. Jenkins came to me and said he doesn't plan to farm this year, so it would be a great time to do this repair.

The only thing is, is I think I need to get an engineer to give me some advice about how we should build this thing. We can go out there and drive piling and put it on there but it sure would be nice to have a stamp on it, do you agree?

Mr. Jenkins – Absolutely.

General Manager Shadden – Mr. Lloyd was one of our engineers and he did all of our stuff on the water. He is pretty much an expert. He did Spindletop weir, Barrons weir and a lot of the structure. Anything

to have to do with the water, he did it. That was his specialty. So, I will contact him, and I think he can put something together quickly.

Mr. Jenkins – The picture of the Fairing weir, he did that.

General Manager Shadden – Yes, he designed it and Spindletop.

Mr. Jenkins – That looks great to me.

President Kahla – Do we need another Motion to hire an engineering service?

General Manager Shadden – You can authorize me to do it now as part of this.

Vice-President Turner, made a Motion to approve replacing Jenkins weir due to deterioration and authorize obtaining an Engineering firm to design it. The motion was seconded by Secretary Hankamer 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 has made it upstream of the old pump.

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.

Long Reach 50' – Used this machine to assist the dragline on Spindletop. (Week before last this machine sustained engine failure.

OGDEN DITCH:

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

Old Fecon – Used this machine to assist in moving parts to the bridge.

TAYLORS BAYOU TRIBUTARY:

Newest Fecon – Used this machine to clear up both sides of the ditch up to the I-10 feeder road.

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 ihg with trees. (The cutter head is at Hendrix for repairs)

ELM BAYOU:

D3 Dozer – Using this machine to knock down the spoils left from previously dipping out the ditch.

ELM BAYOU TRIBUTARY:

Komatsu Grinder – This machine has been dipping out vegetation and silt from the ditch.

SPRAY CREWS:

The ground crews are working the East side of the district. (covered approximately 48 miles)
Still moving with tractors.

III. UTILITIES REPORT:

Mike Will reported on Water and Wastewater.

1. The 2022 Consumer Confidence Reports have been completed and uploaded to our website.
2. In March the TCEQ performed an inspection at the Oak Island Fire Department lift station due to an unauthorized discharge that a homeowner had reported. To resolve this issue, in the past few months we have replaced the following:

- Discharge piping
 - Both pumps
 - The controller
 - All floats
3. Update on the condition of the Oak Island WWTP.
- See the attached proposal from PEECO. A PO# has been issued to them to make these needed repairs.
4. See the updated report on the new Hankamer WWTP that is included in your packet.
- We are waiting on Entergy to install the electrical service.
5. We have been working with Ksolv a new chemical company located pm FM 1724. They will be making gasoline blend stock and diesel cutter stock. They asked if we could serve them with makeup water for their cooling tower and receive the discharge from it. By doing so our concerns were that the TCEQ would require us to develop a pretreatment program. We had LJA Engineering review their process. LJA recommended that we accept their discharge. They stated that the cooling tower will not discharge a significant amount of pollutants. Ksolv has also agreed for us to split samples a couple of times a year for quality control, they will also submit to us their monthly discharge monitoring reports.
6. Completed water and sewer installations:
- Three grinder stations
 - 1,067' of sewer discharge line
 - 630' of water line
 - Ten water meters
 - Killed one water service
 - Changed out 584 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.


President Kahla – As people have probably noticed, I have been a no show. I have attended 2 out of the last 5 regular meetings. My position where I work has changed drastically and I do not see it changing probably until I retire and there is not a lot, I can do about it. I can be here today because we are in the middle of a turnaround, so we are not doing any safety or starting up, so I was able to take off to come here. After a long deliberation, I have decided it is in my best interest and the best interest of Trinity Bay and its constituents that I resign from the Board because I cannot put forth the time and the effort that I should be as an elected official. I hate to do it, but it is what I am going to do. I am turning that in today. I will still be available until you find a replacement. Thank you to everyone that has supported me.

VII. ADJOURN.

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

Meeting Adjourned at 11:46 a.m.

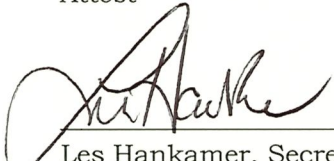
READ AND APPROVED:



Victor Caraway, President

Attest

Date: 7-12-23



Les Hankamer, Secretary

