

MINUTES OF A REGULAR MEETING
OF
TRINITY BAY CONSERVATION DISTRICT
Wednesday, November 15, 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, August 16, 2023, with the following Directors present:

Victor Caraway	President
Gregg Turner	Vice-President
Les Hankamer	Secretary
Rick Nicely	Director
Annette Rayburn	Director

Also present were Jerry Shadden, Crystal Threadgill, Mike Will and Amos Roy, District Employees; Kate Leverett of Germer, District Counsel, Brad Moon, of the Chambers County Sheriff Department, Max Smith, Gloria Way of the Seabreeze Beacon, Sharisa Nelson of the Seabreeze, Beacon.

Agenda Item 1:

President Caraway 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 us in the Pledge of Allegiance to the American and Texas flags.

Agenda Item 3:

PUBLIC COMMENT

Max Smith – I spoke about free water for the elderly at our last meeting and I would like to speak about that again. We go through a lot of ritual motions, we pray to God, we pledge allegiance to the flag of the United States and Texas, and there are a lot of responsibilities that go along with those things. We do whatever we want and forget about some of those responsibilities.

I would like to talk about Moses again. He was born in Egypt, and his mother before he was weened, she put him in a little basket and send him down the Nile river. One of the hand maidens took him out of the river and nursed him and he grew up in Pharaoh's father's household, so he knew Pharaoh very well and he kind of knew how Pharaoh was and what was going to happen. When he got to the burning bush and God asked him to talk to Pharaoh about giving the old people some free water, he was reluctant to go and speak with Pharaoh. He asked if he could send someone else because I am not the best speaker in the world and I do not know what to say to him, what if he says this and what if he says that? What if he says no? So, he went to Pharaoh with this probing I guess we will call it, he carried a stick and made it into a snake and all these different things to impress Pharaoh and get his attention to get him to agree to let my people go. Pharaoh said no. He went back and he went with all these plagues, like 10 or 12 of these plagues, and the last one was Covid, the Passover if you will and some people died and stuff like that. Since Moses knew that Pharaoh was going to say no and eventually Pharaoh would send his soldiers after God's chosen people and attacked them as they were crossing the red sea and those soldiers would be drowned in the water. Some people escaped toward the promise land. Surely God knew as well that Pharaoh was not going to give these people some free water. So, what was the point of God telling Moses to go talk to Pharaoh? Well, everybody is going to go to court. I am not talking about man's court; I am talking about God's court. God is going to be the judge, jury and prosecutor. His will be done, like we said this morning, His will be done. So, we need 51, we need 91 charges and 4 indictments and then Pharaoh is going to say, I didn't do anything wrong. So, that is why Moses needed to talk to Pharaoh, not because it was going to change Pharaoh's mind, but because Moses knew it wasn't going to change Pharaoh's mind, and certainly God knew more than Moses. God knows what choices we are going to make before we make those choices.

Gloria Way – Thank you for giving me the opportunity to speak to you. I wasn't planning on speaking to you this morning, but I just received this text at 8:19 this morning. I will give Crystal the phone number of this person, I do not know who this is, so that you may respond to this person and do not want to say the number out loud and put it on the record. This person wrote me and said, "Good morning Ms. Gloria, I know you speak for the common man or woman at the TBCD meeting. These new rates are ridiculous. I normally pay around \$75 - \$82 per month and this last bill \$117. I know rates went up, but wow, a \$40-\$50 increase is a bit much. I have seen others complaining, just not sure that we as a community can do anything about this mess. I said something to the front office, and they asked me to stay, but I warned them I had to get to work so that I could pay for these ridiculous water bills. Thankfully, I have never had an issue until now. Just really worried about others in our community that this will hurt them as well."

This is a sentiment that is out there right now. Like I said people they call me, they write me, and they come into the office. I am extending an invitation to you as a Board to write a letter to the editor and I

will publish it in full and edit it of course to explain what this is about. Why y'all had to increase the rates. I know y'all had said in the past that the increase was going to be set aside for repairs and maintenance of the water plant systems and things like that. But I think that they need to hear it from you. In a letter to the editor, why we had to do this. I will agree that this has been a long time coming. This should have happened years ago, but it didn't. So, now you are getting the back lash of it. This is the sentiment out there right now of people having a 20-30% increase in their water rates. They just need to know and hear from you why. Okay, thank you.

Agenda Item 4:
APPROVE MINTUES

Director Nicely, made a Motion to approve Minutes of a Regular Meeting held November 15, 2023. The motion was seconded by Vice-President Turner and it passed by unanimous vote.

Agenda Item 5:
FINANCIAL REPORTS

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

Agenda Item 6:
TAX REPORTS

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

Agenda Item 7:
ACCOUNTS PAYABLE

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

Agenda Item 8:
ANNUAL SERVICE AWARDS LUNCHEON AND SAFETY MEETING

General Manger Shadden – Right before the December meeting, we usually have our Awards banquet to give out service awards at 5 years of service at a time and then we also so a steak dinner for our employees, we will have door prizes and we usually give them a \$200 gift card for a safety award. This is all budgeted for in the budget.

Secretary Hankamer – The same as last year.

General Manager Shadden – Yes sir.

Secretary Hankamer – And when are you going to do it.

General Manager Shadden – I believe the Wednesday before Christmas, that way Wednesday afternoon, they can leave.

Amos – It is the 21st, the Thursday before Christmas. Our Holiday is that Monday and Tuesday, the 25th and the 26th.

General Manger Shadden – Correct. We would really like to, if possible, move the Board meeting to the 21st, that way we do the Board meeting, and everyone is here already.

Director Nicely, made a Motion to approve the Annual Service Awards Luncheon to be held on the 21st after the Board Meeting. The motion was seconded by Secretary Hankamer and it passed by unanimous vote.

Agenda Item 9:
BANK DEPOSITORY PROPOSAL FROM EAST CHAMBERS BANK

General Manager Shadden – We put the add in the paper on both sides for the Depository. Kate felt like it had been 10 years since we put it out for proposals and so it is time to update it. East Chambers Bank is the only proposal that we received.

Vice President Turner – Is the bid for 4 years and renewable if agreed by both parties?

General Manager Shadden. Yes, and the rates and everything are listed in here.

Vice President Turner, made a Motion to approve the Bank Depository Proposal form East Chambers Bank with a 4-year contract to renew for another 4 years. The motion was seconded by Director Nicely and it passed by unanimous vote.

Agenda Item 10:

RESOLUTION 23-23 SELECTING MANAGEMENT SERVICE OF PRE AND POST GRANT SERVICES

General Manager Shadden – We put it out for request for proposals to be able to go out for these grants. Jeff Ward and Associates is the only one who returned a proposal. They would be the Grant Administrator on this.

Vice President Turner – They have done this for us for several years?

General Manager Shadden – Yes sir. He is one of those that if you get him to do it, he has a near 100% success rate.

Vice-President Turner, made a Motion to approve Resolution 23-23 selecting Jeff Ward and Associates as for pre-award and post-award grant services for the 2023 Funding of HMGP, BRIC, and/or FMA. The motion was seconded by Secretary Hankamer and it passed by unanimous vote.

Agenda Item 11:

RESOLUTION 23-24 – SELECTING ENGINEERING SERVICE FOR PRE AND POST SERVICES

General Manager Shadden – This is the same thing; you must have a Grant Administrator and an Engineer to do this. We again put this in the paper and when you put this one out they require you to send it to 10 people, they give you a list of around 20 and you have to pick 10 to email it to. We received two proposals on this. We looked at them and put a panel together, Me, Victor and Diane, and we looked at it and our recommendation is to hire LJA Engineering Services because they are our engineer of record and they have all of information. By the time you get through with the scoring sheet we do, they came out on top.

Vice-President Turner, made a Motion to approve Resolution 23-24 selecting the most qualified proposal for Engineering Services for pre-award and post-award grant services for the 2023 Funding of HMGP, BRIC, and/or FMA. The motion was seconded by Director Rayburn and it passed by unanimous vote.

Agenda Item 12:

RESOLUTION 23-25 – EXTEND WATER AND SEWER LINES UP TO 1,000 FEET

General Manager Shadden – These are mainly service lines. When someone comes in and asks for water and sewer service, most of the time we run a grinder to the house. Instead of waiting until the end of every month it will allow Diane to give prices out to put services in. Anything larger than that would come to the Board for approval.

Vice President Turner – It would be up to you on the size of the pipe?

General Manager Shadden – Me and the engineer. Some of these, especially commercial, we have changed our policy and we require them to do a capacity study. So, the person that is wanting to build a truck stop or whatever, they have to pay \$5,000.00 to LJA and have a capacity study done to make sure that we can handle the amount of water or sewer so we do not overload our capacity.

Director Nicely, made a Motion to approve Resolution 23-25 allowing the General Manager to extend water and sewer lines up to 1,000 feet. The motion was seconded by Director Rayburn and it passed by unanimous vote.

Agenda Item 13:

INSTALL SEWER MAIN LINE AT FM1460 AND BAUER ROAD

General Manager Shadden – Mr. Fischer built a very nice barndominium up on 1406 and we have a 2” line coming across at Bauer Road but it is about a mile up there and he asked if there was any way that we could participate. In the past I would have the customer pay for all the materials and Trinity Bay would lay the line. That would give us a sewer force main to where in about another mile we would be at the end of our District at the Jefferson County line. This would serve all that area. We would have the benefit that anyone would be able to tie on to it.

Vice President Turner – What size sewer line are you looking at?

General Manager Shadden – Diane gave them a price to put a 2” in, but it would be up to the engineer and when you get to about a mile of line it would have to go to the TCEQ for their approval to put it in. When we did this same thing in Hankamer about the same length, we ended up putting in a 3” line. That would probably serve that whole area for 20 – 25 years.

President Caraway – We already have a water up there?

General manager Shadden – We have a 6” water line that goes all the way to the county line.

Secretary Hankamer, made a Motion to approve installing a sewer main line starting at FM 1406 and Bauer Road going North 5,280 feet to serve Troy Fischer. The motion was seconded by Vice-President Turner and it passed by unanimous vote.

Agenda Item 14:

SEWER LINE ON EAST SIDE OF DISTRICT INTO THE GIS MAP

General Manager Shadden – We hired Plumer and Associates to do a capacity study and GPS and map all of our system on the west side to see what we need to do in the future, upsizing lines, another sewer plant and whatever we need to be ready for the future. We were having a meeting with them and Victor and I asked them if you are doing this right now, would it save us any money if you went ahead and did the other part of it while you are GPSing already. They came back and gave us a price of \$18,770.00 to GPS the Winnie area too with line sizes and everything and build us a mapping system so we have the same thing on this side. They wanted \$56,000.00 to do the water. We don't have the money to the water right now, but we are asking the Board to go ahead and map the sewer system on the Winnie side that way we know where all the manholes and everything are.

Director Nicely, made a Motion to approve adding the sewer lines on the east side of the district into the GIS map for a cost of \$18,770.00. The motion was seconded by Director Rayburn and it passed by unanimous vote.

Agenda Item 15:

RESOLUTION 23-26 HMGP APPLICATIONS TO TDEM AUTHROIZING GM TO ACT AS DISTRICT'S AUTHORIZED REPRESENTATIVE

General Manager Shadden – This went back with the previous 2 where we are going for grants, and what this does is I am the authorized agent when we put these things together. They have a computer program where you enter it into the computer to apply for the grants and I am the administrator of that to where I actually go into the website and put all this information in with the help of the engineer and grant administrator. But I am the contact for all the grants is what this is.

Vice President Turner, made a Motion to approve Resolution 23-26 authorizing submittal of one or more HMGP applications to the Texas Department of Emergency Management, authorizing the General Manager to act as the district's authorized representative in all matters pertaining to the application, and committing matching funds. The motion was seconded by Secretary Hankamer and Director Nicely and it passed by unanimous vote.

Agenda Item 16:

FLOOD STRUCTURE TESTING

General Manager Shadden – Steve Fitzgerald was in here and when we put all these structures in, I had Total Corrosion go out and put anodes on all of these aluminum structures so that they would not corrode. It has been 4 years since we put all these structures in, so they are going to come out for a price of \$4,000.00, there are a set of test leads on there and they are going to hook on to them and make sure that the anodes are still good or if anything needs to added so that they do not deteriorate. This is a preventative maintenance type deal.

No action needed.

Agenda Item 17:

JENKINS WEIR UPDATE

General Manager Shadden – They put the set of plans together and it is pretty much set up like Ferring's Weir and the only deal was that he changed the sheet piling from the type of sheet piling that we had. So I went back to him and asked him if they could look at the PC-18's that we had and if we were able to use them and Mr. Lloyd came back and said yes, they are fine, they are heavy enough to do it. We have 400 linear feet of sheet piling out at the wetlands and this is going to take 70.

No action needed.

Agenda Item 18:

FEMA APPEAL PW 15396

General Manager Shadden – We filed an appeal for PW 15396 which is the gates at Fitzgerald and we received \$11,625.75.

No action needed.

Agenda Item 19:

FEMA APPEAL 15353

General Manager Shadden – We filed an appeal for PW 15353 which is Cane Bayou bridge and structure and we were able to prove that we bought some extra sheet piling, some mats and some other stuff. FEMA approved it and we received \$4,428.45.

No action needed.

Agenda Item 20:

NOISE COMPLAINTS FOR HANKAMER SEWER PLANT

General Manager Shadden – I had this on the Agenda already and then I was invited to a local meeting that was in the Hankamer Community, and so Victor and I went over and talked with all of the people that live there and explained that we were in the testing phase when this was put in. We are now up and running full service and we are only running one blower versus two or three and so the noise has dropped down dramatically and as of now they all seem to be happy.

No action needed.

Agenda Item 21:

SEABREEZE CULVERT TO MANUFACTURE A NEW BAR SCREEN COLLECTION BOX

Mike Will – The existing bar screen that we have right now was put in in the early 2000's and it is deteriorating, we have had holes and put multiple patches on it since I have been here. It is time to replace it. I have a quote from them. We are looking to alter it a little. We have spoken with Loretta with Plummer and Associates and we may expand it a foot or two on each side and get a little bit more volume. So, we are working on that right now and we are asking the Board for their approval not to exceed \$30,000.00 and go ahead and purchase it. We need a bar screen out there as soon as possible.

President Caraway – I would like to ask them as well, what it would cost to go from a ¼" aluminum to a 3/8" and possible that would extend the life. At a ¼" it lasted 20 years and so if maybe we go to a 3/8" it will give it a little more life. Just see what the price difference is.

General Manager Shadden – I contacted Plummer and asked them what it would cost to design a new one. The way this one is set up, there is a door on the left-hand side, and it is right up at the top so now you are trying to go through that door to clear the bar screen. So, you are trying to go through a little window and the reason why is because there is a cover on top. It is too small. The way it is designed is terrible for the operators to clean it. They wanted \$150,000.00 to redesign it and put a concrete set up in there with a proper type bar screen and we just do not have the money for that at this time.

President Caraway – This is something they clean daily?

General Manager Shadden – Yes, and you would be surprised at how much junk is in there. So, you get about 4- or 5-gallon buckets if not more out of there. So, you are in there and you are trying to go through a window with something. Both bar screens are vertical so you can try to drag it to the top and try to drag it out the side. It is just too small. There is another 12" force main down by the school and at least it would be brought into that box. We are pumping it twice; it is going into the pump station there and then we turn around and pump it again to the box. So the 12" needs to be brought in just for future, we would like to do something now, but for the future we need to redesign it and build it out of concrete and some type of traveling bar screen that way it would clean itself every once in a while.

Vice President Turner – If you build it out of concrete, don't you have to go with stainless instead of aluminum because the acid in the concrete will eat the aluminum?

General Manager Shadden – Yes. She takes care of several of these wetlands and maybe she will have something that is already out there and not have to reinvent the wheel. They were surprised when they looked at this thing. They said it was a great engineering job. They are giving us some ideas of what we can do to make it easier to clean so we can incorporate it into the new one.

They actually quoted us \$25,000.00 and I added \$5,000.00 to add a cat walk around it so they are not trying to stand up on top of the thing to clean it for safety reasons and to make it a little more operator friendly.

Director Nicely, made a Motion to approve having Seabreeze Culvert manufacture a new bar screen collection box for the Winnie/Stowell Sewer Plant not to exceed \$30,000.00. The motion was seconded by Secretary Hankamer and it passed by unanimous vote.

Agenda Item 22:

RESOLUTION 23-27 CERTIFIED TAX ROLL SUMMARY FOR CHAMBERS COUNTY

General Manager Shadden – We just received it, and it is \$4,200,000.00.

Vice President Turner – That is less than it was.

General Manager Shadden – Yes, about \$80,000.00. I budgeted just on projections for \$4,280,000.00, so I was \$80,000.00 off. And that is about what we lost by lowering the rate.

Director Nicely, made a Motion to approve Resolution 23-27, the Certified Tax Roll Summary for Chambers County. The motion was seconded by Director Rayburn and it passed by unanimous vote.

II. DRAINAGE REPORT:

Amos Roy reported on Drainage.

SPINDLETOP BAYOU N. OF SH65:

D# Dozer - Dressing up right of way

SPINDLETOP BAYOU S. OF SH65:

Komatsu Dozer – This machine is reworking the right of way and old spoils of Spindletop.

Old Fecon: This machine is cutting the right of way on Spindletop.

Long Reach 326' – This machine is cutting what the short reach cannot get on the bank.

EAST FORK OF DOUBLE BAYOU:

Newest Fecon- This machine is cutting on one of the several tributaries that we have in this area.

EAST FORK OF DOUBLE BAYOU(Jenkins Weir Project):

Dragline, S.R. Komatsu and Cat 329 – We are beginning the process of deconstruction of the old weir so that we can construct the new one. The new weir will look similar to the one at Spindletop just upstream of Hebert Rd. It will be a 72' wall built with steel sheet pile that will have a concrete cap formed on the top of the sheet pile. The weir will consist of two windows for water elevation change.

EAST FORK OF DOUBLE BAYOU:

Komatsu Grinder - Grinding vegetation on the drainage ditch.

RELOCATING THE DOORNBOS BRIDGE:

Komatsu Short Reach- On 10-31-23 the crew was able to complete the relocation of the old bridge.

SPRAY CREWS:

1. As a total for the ground crews, they have put out about 36,000 gallons of chemical. This is covering approximately 142 miles as well as 542 acres.
2. Looking into fall helicopter application.
3. Also looking into seeding the area that has been worked on Spindletop for erosion control.

I. UTILITIES REPORT:

Mike Will reported on Water and Wastewater.

1. The contractor has been out to the new Hankamer WWTP to work on a couple of issues. The last remaining issue is the clarifier rake tripping out. They should have this issue resolved this week.
2. We are still making repairs to water and sewer lines due to the drought conditions. As the drought conditions continue to improve, line breaks will also slow down.

COMPLETED WATER AND SEWER LINE INSTALLATIONS:

Residential Grinder Stations – 6
 Sewer Discharge line - - 1,452'
 Sewer Main Line– 840'
 Water Meters Installed – 22
 Water Meter in Cypress Point – 1

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. BOARD MEMBER REPORTS:

Director Nicely – I would like to recognize the annual safety service awards luncheon. As we can see from the fly over, the drought, and what Amos and his crew have been able to accomplish in 6-8 months to get that work done on Spindletop is awesome. And I also want to recognize Mike and his crew again going back to the drought, his crew were able to maintain the water lines and water pressure to minimize any type of boil water notices. I just want to make sure that this is recognized at the service awards luncheon.

Vice President Turner – I would like to make a comment on what Gloria brought up about the public sentiment on the rates going up. We sell water way to cheap for too many years. If you watch the news and the trouble, they have in City of Houston Water Department and it is just unbelievable. People are getting \$5000.00 and \$10,000.00 water bills. We are upgrading ours with the electronic meters and no doubt they have never hear of the electronic meters.

Gloria Way – I remember the person who did the demonstration for the electronic meters very clearly said, she said chances are is that everyone's bills are going to go up be cause they are more efficient and will do a better job in monitoring. The thing here as I have said in my remarks, is as a businessperson, this should have been done a years ago.

Vice President Turner – We agree with that.

Gloria Way – I know and that needs to be brought out. You are no longer kicking the can down the street. You are taking care of business and unfortunately this has to be done.

Secretary Hankamer – Do you have an understanding on our input costs, with the inflation what it has done to us? Is it a 20-30% Increase? Have you tried looking into that? I guarantee you it is somewhere around that.

General Manager Shadden – I would say that chemicals have gone up at least that much.

Vice President Turner – I signed checks a while ago and you would be astounded to know what it costs for the chemicals that Mike has to use for these plants.

Gloria Way – I have been sitting here for seven years and I have been listening to this, and I understand. I remember Mike 6 or 7 years ago, tell me his wish list.

Vice President Turner – We have been working under a deficit trying to keep from going up. Like you said, it should have gradually gone up a little at a time.

Gloria Way – But the thing is, they need to hear it from y'all.

Vice President Turner – I have paid three water bills this morning. I feel the pain.

Mike Will – Yes, like you said the chemicals have gone up 20, 30 40% and some much more than that. Our chlorine, if anyone has a pool around here, you will know. Chlorine has gone up.

Secretary Hankamer – If you can get it.

Mike Will – And that is the problem. There are only a handful of manufactures pf chlorine in the world. Your hands are tied, whatever they say the price is, is basically what you must pay.


President Caraway – And our budget was set up with no increase. The increase we have, was earmarked to fix the problems on your list, the long-term problems. We passed two today that were on our list.

VII. ADJOURN.

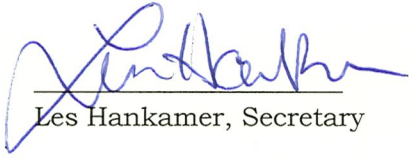
Secretary Hankamer made a Motion to Adjourn. The motion was seconded by Vice-President Turner and it passed by unanimous vote.

Meeting Adjourned at 10:22 a.m.

READ AND APPROVED:


Victor Caraway, President

Attest


Les Hankamer, Secretary

Date: 12/21/23