

MINUTES OF A REGULAR MEETING
OF
TRINITY BAY CONSERVATION DISTRICT
Tuesday, March 12, 2024
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 Tuesday, March 12, 2024, with the following Directors present:

Victor Caraway	President
Rick Nicely	Director
Annette Rayburn	Director

Also present were Jerry Shadden, Diane Newsome, David Hoyt, Mike Will, Joey Mouton, Elton Harmon, Melinda Prince and Amos Roy, District Employees; Brad Moon, of the Chambers County Sherriff Department, Gloria Way of the Seabreeze Beacon, Susan Leblanc from Representative Leo-Wilson's office and Pat O'Neill and Jeremy Triska of Wathen DeShong and Juncker, LLP.

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

None.

Agenda Item 4:

APPROVE MINTUES

Director Nicely, made a Motion to approve Minutes of a Regular Meeting held February 14, 2024. The motion was seconded by Director Rayburn and it passed by unanimous vote.

Agenda Item 5:

FINANCIAL REPORTS

Director Nicely, made a Motion to approve the Financial Reports for February 29, 2024. The motion was seconded by Director Rayburn and it passed by unanimous vote.

Agenda Item 6:

TAX REPORTS

Director Rayburn, made a Motion to approve the Tax Reports for February 29, 2024. The motion was seconded by Director Nicely and it passed by unanimous vote.

Agenda Item 7:

ACCOUNTS PAYABLE

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

Agenda Item 8:

ANNUAL FINANCIAL AUDIT Y/E 09-30-23:

Presented by Pat O'Neill of Wathen DeShong & Junker, LLP:

In the independent auditor's report, it says we have audited the company financial statements of the District for the year ended September 30, 2023. In our opinion the financial statements referred to present fairly and all materials state the financial position of the District and changes in position on cashflows for the year. This is what we call a claimed opinion, that it presents fairly the financial position of the District, so that is what you are looking for in an audit.

Full Audit report can be found at TBCD.org under the Budget tab.

Director Nicely, made a Motion to approve the Annual Financial Audit for the year ending September 30, 2023 presented by Wathen, DeShong and Juncker, LLP. The motion was seconded by Director Rayburn and Secretary Hankamer and it passed by unanimous vote.

Agenda Item 9:

PARK USA – MANUFACTURE NEW BARSCREEN

General Manager Shadden – We have been working on this for several months now. We have an aluminum box in there now and we looked at having one made just like it but, the design was not made very well to where you could not get in there to clean it. They have doors that open on the sides to clean it but it was very tough and not very safe for the employees, plus it was too small. So, what we did is we went back and with the engineers help we took a look at it and came up with doing a concrete box that will not rot out. It has a sloping screen in it to where you can get on top of it with a guard rail and take the rake and rake the trash out of it. It is designed better; it is larger to take the flow and it is made from a better material so it will last longer. We feel like it is worth sending an extra \$30,000 to where it works and pumps properly and it is safe for the operators to clean.

Director Nicely – I like that part where it is safe for the employees. Also, the longevity of this compared to the aluminum box. I do not agree with the aluminum box because of the difficulty the employees have to go through. But, longevity issue, is there an issue?

Mike Will– With the aluminum or the concrete?

Director Nicely – With the concrete.

Mike Will – No, not being open like that, it will not have any issues.

General Manager Shadden – Gas is about the only thing that is bad. Hydrogen Sulfite will eat the concrete up but these days they use more of composite type concrete and plus like Mike was saying, this is open to the elements to where you do not have any gas in there to build up so that it can eat it up.

Director Nicely – Okay.

General Manager Shadden – So, it is our opinion that we should change and put this better box in there for the longevity purposes.

Director Nicely, made a Motion to approve Park USA manufacture a new concrete bar screen collection box for the Winnie/Stowell Sewer Plant at a cost of \$65,945.00 and cancel the action to purchase an aluminum box from Seabreeze Culvert. The motion was seconded by Director Rayburn and it passed by unanimous vote.

Agenda Item 10:

UPDATE – WEST WATER TREATMENT PLANT SCALING ISSUE

General Manager Shadden – In your book you have a draft issue of what the engineers came up with. I showed you pictures of the piping that was almost stopped up from the chemicals. So, we had them come in and we took samples of everything, the raw water and I actually had some data from 2011 where I tested the raw water previously and they looked at all that and this is their report. They have come up with the idea that our Ph is too high. So, we need to get the Ph down and also according to Joey, our Chief Operator, he hasn't had the issues since we unstopped the piping and I do not know if that is because the flow is going through faster or exactly what is causing it. They have come up and made us a chart of here is your Ph coming in and here is what it needs to be going out instead of just saying we are going to hit an 8.5 all the time, it will be adjusted as the raw water changes. Do you have anything to add?

Mike Will – No, I think Joey and correct me if I am wrong Joey, but their scaling has improved.

Joey Mouton – Yes, it has gotten better. We have not had the issues we were having before.

Mike Will – There for a while we were having to tear apart our chlorinator and analyzers probably every other day occurrence, they were stopping up. It has definitely improved.

General Manager Shadden – So, I am not asking for more money, but we wanted to let you know what we did get for our money. It is also going to save us money on chemical because we will not have to feed as much to change the Ph.

Agenda Item 11:

PLUMMER & ASSOCIATES – BEGIN PHASE II OF FLOW ANALYSIS ON THE WESTSIDE SEWER SYSTEM

General Manager Shadden – Diane, Victor and I all had a zoom meeting with them last week and pretty much finalized the first phase, the maps, the pipe sizing and everything to go along with that, the number of pump stations the size pumps, horse power, flow to where we pretty much done and put it together in maps. The second phase of that is to go in there and actually verify the depths, line sizes, which direction the flow goes and where it is going to go to. The main thing that this is going to do is to tell us that this is how much capacity we have in the sewer system on the other side and what we need to do in the future to make sure we have the capacity and it will look at the line sizing to say we have a 4" line now and it needs to be upgraded to a 6" or 12". We have completed the first phase and we are about to go into the second phase of the field work to analyze everything to make sure that we have the sewer that we need on the West side for growth.

President Caraway – We won't have that information until we get down here to about their seventh step.

General Manager Shadden – Yes, this \$62,000 we will pay in installments monthly; it is not like a one time pay. They charge us as they complete. It is like 6 or 8 phases of this study that they will be doing. It will probably take them another 4-6 months to complete it. It is going into phase II to where we will have a finalized plan to say what we need for the future.

President Caraway – It is expensive, but I do not think we can do without it. We need to analyze where we are on the west side of the sewer.

General Manager Shadden – It is very detailed and I think at the last zoom meeting we had, there were 5 engineers online with us. \$62,000 for 5 engineers work is not too bad.

Director Nicely – Considering the audit, the infrastructure that we might get down the road into the Trinity Bay pay for itself here.

General Manager Shadden – We are hoping so. It is in the audit there, we put in 800 meters last year I think is what he told us. That is ongoing Revenue that we are building up. We had another 50 come in last month, Phase IV of Cypress Point.

Director Nicely – So by the time we get this study completed 5-6 months it will tell us what we need to do for future growth.

General Manager Shadden – Yes sir. We have also discussed with Anahuac building a new plant. We have a .2 and Anahuac has a .3 and they just built a .8. They built a larger plant, so we are also looking at that. That is one of the reasons why our expenditures were so high this month, was because we had to buy a blower for the sewer plant over in Anahuac and half of it was ours. So, once they put these 2 old plants out of service, we are looking at putting ours directly into their plant. They operate them already and we pay a percentage of what we put in. It will take some changed the permitting and different things like that, but that is one of the things that we are looking at.

Director Rayburn, made a Motion to approve authorizing Plummer and Associates to begin phase II of the flow analyses on the Westside sewer system at a cost of \$62,130.00. The motion was seconded by Director Nicely and it passed by unanimous vote.

Agenda Item 12:

HANNAH CONSTRUCTION – CONCRETE CAP ON JENKINS WEIR

General Manager Shadden – We have driven all the sheet piling and everything we need to do to put the concrete cap on top, it is 3' wide and 5' tall and it will have wall ties and everything on it. Our guys do not have the experience to do that. You start getting that kind of concrete into a form like that, it is going to be so heavy and if you are a concrete guy, you can look and make sure you have enough bracing and everything that you need, but our guys never pour anything like that.

We reached out to Tom Mack, the one that did Spindletop and Ferrings Weir and we also reached out to Hannah Construction and a couple of other people and Hannah was the lowest bid to come in. We provided all the plywood and steel and they came in and formed it up and are going to pour the concrete cap on top of it. So, we feel like it is worth it and then our guys should have the experience to do it the next time because they have seen a professional do it this time. Hannah was actually part of building the weir when it was built the first time.

Director Nicely – Do they have to bring in special equipment for this.

General Manager Shadden – No sir, we have all of our equipment there. You are going to need a torch to cut holes in the sheet piling, our crane is there to pick up all the steel for setting the forms and they brought in wall ties and everything. There bill is for a new wall and labor only. We supplied everything else.

Director Nicely – Okay.

Director Rayburn, made a Motion to approve Hannah Construction form and pour the concrete cap on Jenkins Weir at a cost of \$56,680.00. The motion was seconded by Director Nicely and it passed by unanimous vote.

Agenda Item 13:

KING SOLUTIONS – PIPE BURST 700 FEET OF SEWER MAIN AT HIGHWAY 124 AND FEAR RD

General Manager Shadden – I know I am spending a lot of money today, but if you recall we pipe bursted underneath Lercy's about 2 years ago, the line had collapsed underneath Lercy's and the line runs from Fear Road underneath Lercy's and across Fairview it goes up behind the old meat market there and comes back and crosses the highway and goes out the line at the school. They charged us \$50,000 to pipe burst under Lercy's.

This is 700 feet of pipe, it is collapsed at least 8 times in the last month, so we have to have a big flush truck jetter come in with a vacuum and get the mud out of it. It is to the point that we have to do

something. Go through these building right here, there are no manholes here and it would me a nightmare to open cut through there and would cost us more than it will to pipe burst it.

Director Rayburn, made a Motion to approve King Solutions to pipe burst 700 feet of sewer main line at Highway 124 and Fear Road at a cost of \$70,736.00. The motion was seconded by Director Nicely and it passed by unanimous vote.

II. DRAINAGE REPORT:

Amos Roy reported on Drainage.

SPINDLETOP BAYOU S. OF SH65:

Komatsu Dozer – This machine is reworking the right of way of the drain.

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

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

NOTE: We received the new Fecon unit on 2-22-24 and immediately put it to work on Spindletop. We moved the old Fecon unit in for cleanup.

EAST FORK OF DOUBLE BAYOU:

Newest Fecon- This machine is cutting the remaining side of the tributary to the east fork. Finished on 3-5-24 and was moved to the ditch at FM 1410 and Sterritt Road.

Komatsu Grinder – This machine is now dipping out the section that has been cut on both sides. It is making its way South toward FM 1663.

EAST FORK OF DOUBLE BAYOU (Jenkins Weir Project):

Dragline, Long Reach Cat, Short Reach Cat and D3 – We have gotten the bottom section done as far as rebar and wood forming for the concrete pour. If all goes well, we look to be wrapping up this project within the next couple of weeks.

GORDY MARSH BAYOU:

Komatsu Mower Long Reach – This machine is dipping vegetation out from in front of crossings. Replacing two bad crossings on Mr. Fitzgerald's land as well as one crossing on Jackson's land upstream from Mr. Fitzgerald. We plan on removing vegetation throughout the easement of this bayou. It is extremely full of water hyacinth.

NOTE: We received the new Fecon unit on 2-22-24 and immediately put it to work on Spindletop. We moved the old Fecon unit in for cleanup.

SPRAY CREWS:

1. The spray crews have reinstalled their spray units back in to the side by side and have started spraying our facilities.

I. UTILITIES REPORT:

Mike Will reported on Water and Wastewater.

1. The contractor has completed the repairs to the clarifier rake arms at the Hankamer WWTP, they also replaced the center drive gearbox due to it making noise.

The remaining issue we are having are:

- a. Sludge backing up into the blower lines
- b. Airline blocked going to the chlorine contact chamber
- c. Several water leaks on exterior piping
- d. Leak under clarifier weir plates
- e. Pressure tank is not the correct size

LJA Engineering is aware of these issues and is in communication with the contractor to get these issues resolved ASAP.

- f. Fuses blowing on Entergy's line. Entergy thinks this was being caused by the wind slapping the lines together. Last week they took slack out of the lines to see if this would resolve the issue.

2. We had a sewer main blockage at 9th and Cedar. We contracted a vactor truck company to jet out the line, but they were unable to get their jetter through it due to the line had separated and was impacted with sand. On March 7th we contracted with a company to start well-pointing the area before work could begin, due to high ground water level in the area. Work will begin once the area is dewatered.
3. The TCEQ performed inspections at both water plants. At the Winnie Plant the one remaining violation that is still outstanding is an updated CT study. The reason the CT study must be revised is due to when we replaced both ground storage tanks a few years ago and we increased the volume of them. The CT study is being revised by Tony Bennet, an independent contractor that works through LJA.
 - a. The annual tank inspections indicated that there was rust inside the ground storage tanks. This violation will not be resolved until these tanks are replaced.
 - b. The inspector is requiring an intruder resistant fence to be constructed around the plant.
4. We currently have 9 fire hydrants that need to be replaced throughout the District. To replace each of them costs approximately \$4,500.
5. We located approximately 8.25 miles of water and sewer lines for contractors last month.

We repaired 18 water mains
 We repaired 5 sewer mains
 We installed two complete grinder stations
 We installed 5 water meters
 We installed 26 water meters in subdivisions

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.

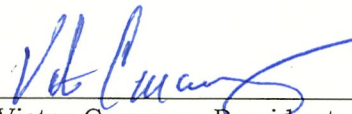
VI. BOARD MEMBER REPORTS:

VII. ADJOURN.

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

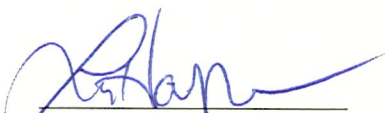
Meeting Adjourned at 9:49 a.m.

READ AND APPROVED:



 Victor Caraway, President

Attest



 Les Hankamer, Secretary

Date: 4-10-24