

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

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

Also present were Jerry Shadden, Crystal Threadgill, David Hoyt, Mike Will, and Amos Roy, District Employees; Kate Leverett, District Counsel of Germer, PLLC, Brad Moon, of the Chambers County Sheriff Department, Gloria Way and Sharisa Nelson of the Seabreeze Beacon, Kalari Clark from The Progress, and Susan Leblanc of Representative Teri Leo-Wilson's office.

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 MINUTES

Director Nicely, made a Motion to approve Minutes of a Regular Meeting held May 15, 2024. The motion was seconded by Director Rayburn and it passed by unanimous vote.

Agenda Item 5:

FINANCIAL REPORTS

Secretary Hankamer, made a Motion to approve the Financial Reports for May 31, 2024. The motion was seconded by Vice President Turner and it passed by unanimous vote.

Agenda Item 6:

TAX REPORTS

Director Nicely, made a Motion to approve the Tax Reports for May 31, 2024. 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 Vice President Turner and it passed by unanimous vote.

Agenda Item 8:

SEQUESTRATION EASEMENT AGREEMENT WITH OXY LOW CARBON VENTURES, LLC

General Manager Shadden – Several years back we bought 3 1/2 acres of land from Stevie Devillier along LNVA's canal at 1410 and Highway 65 as a place that if we ever needed to take raw water from the LNVA and pump it to the Anahuac plant, that we would have a site to be able to put a station in there and pump raw water. And the reason is, during Hurricane Ike it overflowed into Lake Anahuac and it got salt water in it, so the water was bad on that side. Since then we have put an 80-acre reservoir in so we have plenty of water there. We bought this site just for the future in case we needed to. The plan was to run a 14" line from there to the water plant in Anahuac to fill up the reservoir. Oxy is doing carbon injection to the ground here and they have approached us for the 3 1/2 acres at \$5,000.00 an acre to inject it into the ground.

Kate, did you get a chance to look at the contracts?

Kate Leverett – Yes, everything looks fine.

General Manager Shadden – Oaky. They sent us a copy of the easements and contract that Kate reviewed. It is the pleasure of the Board if you would like to get a little extra money.

Director Nicely – We are not going to lose any use of that property?

General Manager Shadden – No sir. What they do is they put a salt dome and that salt dome is under all of the Devillier property and that piece of property there and they buy the surface area up so they have a right to put it underneath there. It should not affect us at all. This is going on quite often now a day. They are buying up all this for the sequestration and pumping this carbon dioxide in the ground.

Director Nicely, made a Motion to approve the Sequestration easement agreement with Oxy Low Carbon Ventures, LLC with a one-time payment of \$16,615.00. The motion was seconded by Director Rayburn and it passed by unanimous vote.

Agenda Item 9:

MOVE JULY MEETING

General Manager Shadden – This is for personal reasons. My wife and I are leaving July 10th to go to Hawaii. So, instead of being on the 10th, we would like to move it to the day before so we can get on the airplane and go. We leave the 10th and come back on the 20th.

Director Nicely, made a Motion to move the July Board meeting to Tuesday, July 9, 2024. The motion was seconded by Vice President Turner and it passed by unanimous vote.

Agenda Item 10:

AMEND BUDGET FOR \$1,200,000.00 TO PAY BRIDGE IMPROVEMENT/DESIGN ON HIGHWAY 65 AND HIGHWAY 124

General Manager Shadden – we signed an agreement with the County to design the bridges on Highway 124 and Highway 65 to widen them for drainage project and the County agreed to pay for ½ of it at \$600,000.00, so this is an accounting thing, our accountants want us to have a line item in the budget to say that the \$1,200,000.00 as we pay LJA is coming out of this account and the next line item will be when the County pays us back it will show they are putting their \$600,00.00 into an account. This way it shows how the money is being moved and accounted for so that everything is on the up and up with the accountants.

Secretary Hankamer – So we are just going to pay for all of it and the County will pay us back correct?

General Manager Shadden – Correct, they will reimburse us their half. We have sent them a bill for the first one and they have paid us already, so we are good.

Vice President Turner – Ultimately, is the State going to reimburse us and the County?

General Manager Shadden – No, they are not. But what I did do, is when we applied for a Grant through Jeff Ward, we went back and started over from the beginning and started over again, that way of we are awarded a Grant to do something with this, it would pay for the engineering, otherwise it is on us.

Vice President Turner – But we are going to have to relinquish ownership of the bridge after it is built?

General Manager Shadden – It belongs to TXDOT already. This is the only way they will do it. After we get the plans so far, we will fill out an AR something or other form and get with them to make sure they are going to do this. The last meeting, we had with them, they would not pay for it until we did the study and design the bridges to be replaced, so this is where we are at right now.

Secretary Hankamer – That is what this is for, the design?

General Manager Shadden – Yes, the design of 65 and 124, not to replace the bridge, it is just the design.

Director Nicely – Does the verbiage on this need to be instead of improvement, be design?

Kate Leverett – When you make the motion you can just say for bridge improvement/design to clarify that.

Director Nicely, made a Motion to approve Amending the Budget for \$1,200,000.00 to pay for the bridge improvement/design on Highway 65 and Highway 124. The motion was seconded by Director Rayburn and it passed by unanimous vote.

Agenda Item 11:

AMEND THE GRANT REVENUE BUDGET FOR \$600,000.00 TO PAY BRIDGE IMPROVEMENT/DESIGN ON HIGHWAY 65 AND HIGHWAY 124

General Manager Shadden – Again, this is what the accountant called it when he sent the email. It is to have an account for when the County reimburses it to put it back into our Budget as they reimburse us.

Secretary Hankamer, made a Motion to approve Amending the Grant Revenue for \$600,000.00 to pay for the bridge improvement/engineering on Highway 65 and Highway 124. 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.

Komatsu Fecon: This machine is cutting the right of way. Was able to get it back into service on 6-4-24 from overheating issues. So far so good on that.

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

****NOTE:** Roughly ¾ of a mile left to go.

TRIBUTARIES OF SPINDLETOP:

Cat Fecon- This machine is working in the area of FM 1410 and McBride-Devillier Extension.

****NOTE:** He just has a couple hundred feet to go from finishing but there is an issue with the Fecon unit. Waiting on the technician to arrive.

Cat 308 – Using the cutter and the bucket to remove debris as needed.

ONION BAYOU TRIBUTARY:

Komatsu Mower Long Reach – This machine is removing vegetation from the ditch and repairing crossings.

****NOTE:** This machine has roughly 1.4 miles to go. Also has several pipelines to deal with.

RUSH DITCH:

Dragline – Using the Dragline to clean out the sand bars on Rush ditch.

NOTE**Roughly 1.6 miles to go. He is having to work the section twice to get the shelf right in order to work off, then he is able to get on the shelf and tend to the ditch itself.

Komatsu Grinder – This machine is clearing vegetation along the drainage ditch.

NOTE**Roughly about .5 miles to go.

SPRAY CREWS:

1. The spray crews have been mowing mostly due to weather.
2. The helicopter application was able to cover about 700 acres/70miles of ditch recently and is planned to come back. The initial goal was to cover about 150 miles/1500acres.

MACHINES DOING OTHER JOBS AROUND THE DISTRICT:

Cat 308 – Dipping out smaller ditches and tending to smaller crossings on our drains.

Cat D3 Dozer – Fixing the spoil bank on Spindletop North of Franzen Rd. in Winnie.

Cat Long Rach 324 – Setting larger field drains and larger pipe crossings that have been waiting to get done. Had five and were able to knock out 3 in a week. One at Spindletop North of FM 1663, one on the East Fork of Oyster Bayou and one on Elm Bayou at FM 1410 and SH65.

Leak on the Weir – After the rain event that we had in May where we received around 7" of rain and out neighbors to the North had gotten over 20" of rain, the weir developed a leak. After seeing where the leak was coming from and scanning countless photos that I had taken of the build process, I noticed why it was leaking. We dug out on each side exposing the area and used some old vinyl sheet pile that we had and pushed them down. We then filled the hole with nags of concrete sealing off the hole.

Also, we have experienced quite a few downed trees lately along our ditch banks. We have been working diligently to try and get these trees removed so they will not block water and catch debris coming down the ditches.

I. UTILITIES REPORT:

Mike Will reported on Water and Wastewater.

1. The West Plant has two outstanding violations:

- a. On June 10th we met with Plummer Engineering onsite to establish plans to replace the three detreating GST's. Next week a core sample will be taken to determine what type of GST will be needed.
 - b. The intruder fence has been constructed. Documentation will be sent to the TCEQ this week.
2. At both water plants the fire and security systems have been installed.
 3. The crews have been locating our utilities ahead of contractors installing cable on the West side.

We have repaired the following:

- 1 Sewer Main
- 4 Water Mains

We have installed the following:

- 1 complete grinder station
- 1,411 feet of discharge line
- 4,800 feet of sewer main
- 8 water meters
- 7 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.

None taken.

VI. BOARD MEMBER REPORTS:

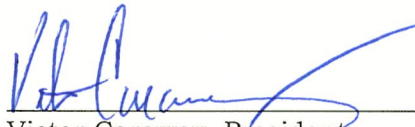
None.

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 9:30 a.m.

READ AND APPROVED:



Victor Caraway, President

Attest



Les Hankamer, Secretary

Date: 7-9-24