

MINUTES OF A REGULAR MEETING/PUBLIC HEARING
OF
TRINITY BAY CONSERVATION DISTRICT
Wednesday, September 11, 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, September 11, 2024, with the following Directors present:

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

Also present were Jerry Shadden, Crystal Threadgill, David Hoyt, Mike Will, and Amos Roy, District Employees; Kate Leverett and Anna Seale of Germer PLLC, District Counsel, Brad Moon, of the Chambers County Sherriff Department, Gloria Way and Sharisa Nelson of the Seabreeze Beacon.

I. PUBLIC HEARING

Agenda Item 1:

President Caraway called the Hearing to order at 9:00 a.m.

Agenda Item 2:

The meeting opened with a prayer and the Pledge of Allegiance to the American and Texas flags by General Manager Jerry Shadden.

Agenda Item 3:

PUBLIC COMMENT ON TAX RATE:

Vice-President Caraway – I have no one signed up for public comment.

Gloria Way, Seabreeze Beacon – Was there a sheet for Public hearing or just for the Regular meeting?

President Caraway – Either one.

Gloria Way, Seabreeze Beacon – Okay, I didn't sign but I have a public comment.

President Caraway – Go ahead.

Gloria Way, Seabreeze Beacon – My name is Gloria Way with the Seabreeze Beacon and I have questions and a suggestion. I understand why the rates are going up. I understand there are a lot of reasons why, a lot I do not agree with. But my suggestion to you.....

President Caraway – This is for the Drainage. This is for out Drainage rates.

Gloria Way, Seabreeze Beacon – Okay. Apologies, so we are not going to talk about...

President Caraway – We will get to that.

Gloria Way, Seabreeze Beacon – I apologize.

President Caraway – No problem.

General Manager Shadden – We lowered our tax rates this year. We are a developing District. We fill out a sheet with the average homestead price and average cost and it tells us what our tax rate is. So, it is actually lowered it from last year. We can only go up so much per year, so we are limited. So, how we do that is lower the tax rate so we do not get too much money.

President Caraway - Our total revenue is going to be similar to last year?

General Manager Shadden – Looking at it, it looks like it is going to be about \$114,000.00 more than it was last year.

President Caraway – Last year it came down from the previous year.

General Manager Shadden – Because of the industrial versus the housing and so forth.

President Caraway – So we will be operating next year on less money than we did last year even.

General Manager Shadden – Yes.

President Caraway – Okay.

Agenda Item 5:

ADJOURN PUBLIC HEARING:

Hearing adjourned at 9:03 A.M. by President Caraway.

REGULAR MEETING

Agenda Item 1:

President Caraway called the Hearing to order at 9:03 a.m.

Agenda Item 2:

PUBLIC COMMENT:

Gloria Way, Seabreeze Beacon – Okay. I am referring to #12 on the agenda, adopting a resolution on the water and sewer rates. I stated that I do understand but do not agree with the continually increasing rates. My question to you is this; everybody's taxes are going up, since everybody's water rates and sewer waste rates are going up, why don't we give them back the \$847,000.00 in water deposits that you have held for years, give them their money back. This is \$847,000.00, this has been discussed, I do not know if you are legally compliant to hold these funds when they are supposed to be given back after 2 years or 3 years according to signing up for Trinity Bay water. But my suggestion to you as Board, if you want to do something for the people, give them their money back. Give them their money back. That is all I have to say.

President Caraway – Thank you.

Agenda Item 3:

MINUTES:

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

Agenda Item 4:

FINANCIAL REPORTS:

Director Nicely, made a Motion to Approve the Financial Reports for August 31, 2024. The motion was seconded by Director Rayburn and it passed by unanimous vote.

Agenda Item 5:

TAX REPORTS

Director Nicely, made a Motion to approve the Tax Reports for August 31, 2024. The motion was seconded by Director Rayburn and it passed by unanimous vote.

Agenda Item 6:

ACCOUNTS PAYABLE:

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

Agenda Item 7:

RESOLUTION 24-07 TAX RATE:

Director Nicely – Jerry did a very good job of explaining this, so I will go ahead and make a Motion.

Director Nicely, made a Motion to approve Resolution 24-07 adopting the reduced Tax Rate of 0.296163/100. The motion was seconded by Director Rayburn and it passed by unanimous vote.

Agenda Item 8:

STATUTORY NOTICE TO PURCHASER:

General Manager Shadden – This is normally for Realtors.

Kate Leverett, District Counsel – Correct. You have to provide your Notice of Purchasers on your website and this is for when any realtor sells property in the district, they have to disclose it to the buyer of the property, that they are going to be subject to this tax rate. It will be on your website and Relators can pull it off and make sure that it is in their closing documentation. So, you are just going to update with the new tax rate you adopted today.

Director Nicely – This is just a formality?

Kate Leverett, District Counsel – Yes, all taxing entities have to do this Notice to Purchasers.

Director Nicely, made a Motion to approve Statutory Notice to Purchasers of Real Property adopting the reduced Tax Rate of 0.296163/100. The motion was seconded by Director Rayburn and it passed by unanimous vote.

Agenda Item 9:

REDOLUTION 24-08 HOMESTEAD EXEMPTIONS:

Kate Leverett, District Counsel – So this again, we do every year. This basically is allowing property owners that claim their resident is a homestead to file that paperwork with Chambers County Appraisal District and lower their tax rate. You are just stating that you are allowing property owners to claim this exemption.

Director Nicely – This is an annual renewal.

Kate Leverett, District Counsel – Yes, you renew this on an annual basis.

Director Rayburn, made a Motion to approve Resolution 24-08 establishing Homestead Exemptions. The motion was seconded by Director Nicely and it passed by unanimous vote.

Agenda Item 10:

2024-2025 FISCAL BUDGET:

General Manager Shadden – Last month we did a workshop and went over all the details and what we were going to do and what we were going to set rates at and this will be this years Fiscal Budget.

Director Rayburn, made a Motion to approve the 2024-2025 Fiscal Budget. The motion was seconded by Director Nicely and it passed by unanimous vote.

Agenda Item 11:

RESOLUTION 24-09 CANCEL DIRECTORS ELECTION:

Kate Leverett, District Counsel – As you know at the August meeting, we called the election because we had to call it by August 19. August 19th was also the last day for anyone to file for a place on the ballot and then August 23rd was the last day for any write in candidates. Nobody applied to be on the ballot, so therefore it is an uncontested election. So, you can go ahead and cancel the election and we will no longer have to enter into a Joint Election Agreement with Chambers County.

Director Nicely, made a Motion to approve Resolution 24-09 cancelling the Directors election Order for November 5, 2024, for Precincts 2, 3, 6, 7, 9, 12 & 14 (Districts 2, 4 and 5) and appointing an Elections Administrator. The motion was seconded by Director Rayburn and it passed by unanimous vote.

Agenda Item 12:

RESOLUTION 24-10 AMENDING WATER & SEWER RATES:

General Manager Shadden – Last month I presented the Board with our Budget with regular and also one with an updated section where we added in the new rates to be able bring in roughly \$400,000.00 for us to be able to continue operating the same as last year. We laid all that out to the Board last month, so we are asking you to up the rates to where we can get things done.

President Caraway – These are the same rates that we voted to approve last time, but we just need a Resolution correct?

General Manager Shadden – Yes.

Director Rayburn, made a Motion to approve Resolution 24-10 Amending Resolution 01-18 and 23-12 Water and Sewer Rates. The motion was seconded by Director Nicely and it passed by unanimous vote.

Agenda Item 13:
SURPLUS PROPERTY:

General Manger Shadden – These trucks have been replaced. They are high mileage and things are wrong with them and they are no longer any use to us so we are going to declare them surplus property and sell them at Horn Auction. They have had good luck putting things out there and getting a pretty good return on them.

President Caraway – Do we take the beds off of these to use on other trucks?

General Manager Shadden – The last few that we have had were rusted so we normally put a new bed on the trucks we get.

Director Nicely, made a Motion to approve declaring 3 water trucks as Surplus Property to be sent to Horn Auction in October 2024. The motion was seconded by Director Rayburn and it passed by unanimous vote.

II. DRAINAGE REPORT:

Amos Roy reported on Drainage.

We dodged a bullet with the Hurricane.

SPINDLETOP BAYOU EAST OF SH124:

Komatsu Fecon – This machine has currently reached the end of our easement on this side of the bayou. We are looking to move the machine into Double Bayou to work on a 2-mile stretch.

WHITE'S BAYOU TRIBUTARY:

Komatsu Mower Long Reach - This machine is being used to remove the vegetation from the drainage ditch.

CAT D3 Dozer – This machine is assisting in moving debris piles and correcting the right of way.

CAT Fecon – This machine is cutting the heavy vegetation that the mower machine cannot handle.

RUSH DITCH SOUTH OF IH-10:

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

Komatsu Dozer – This machine is cutting and reestablishing the shelf and will tidy up the spoils to help speed up the dragline.

SPINDLETOP NORTH OF FM1663:

Komatsu Grinder: This machine is cutting the vegetation along the drainage ditch heading South back towards FM 1663.

RUSH DITCH IH-10 (TXDOT):

Cat Long Reach 324 – Digging out materials that the smaller equipment brings them and loading it into the TxDOT supplied dump trucks.

Cat Skid Steer Loader: - This machine is being used to gather materials that has built up inside the boxes under the freeway.

****NOTE** – We did some work on Rush ditch when we could not work on the boxes under the freeway.

RUSH DITCH TANK CAR PIPE INSTALL:

Cat 324 Long Reach – Used this machine to prep the area and install the tank car. We also moved the Komatsu Dozer in to assist with the project.

****NOTE** – The pipe install will allow Trinity Bay Conservation District to be able to travel our right of way as needed along the West side of Rush ditch. The pipe's dimensions are 10' 6" x 48'.

SPRAY CREWS:

1. The ground crews are averaging about 800 gallons a day.
2. If the ground crews cannot spray, they will go mow with the tractors or other equipment.

Amos Roy - I have recently been on the phones with the gentleman for the anode for our saltwater structures. We are scheduled on September 23rd to get started on these installs. I am supposed to get on the phone with him after this meeting to pinpoint for sure the ones that we are going to attack. Some we have to get to by boat and some we can drive up to. Just depends on the weather. We are trying to look at Cain Bayou, Willow Marsh and Oyster Bayou to get those knocked out. Those three that we agreed to do that were already funded. That is all I have unless you have any other questions.

General Manger Shadden – Mark put together a fall spray list. What he is going to do and where. It is a pretty thick deal here if anybody would like to see it. This is his plan to spray with the helicopter in the fall.

Amos Roy – They were actually going to start spraying this week had the weather not acted up.

Director Nicely – Once we get this helicopter up and spraying, are we going to fly it over Spindletop?

General Manger Shadden – Yes. Like I said, we were trying to finish Rush. All three tributaries go into Spindletop there and everything is cleaned, the boxes under there are cleaned, the ditches are cleaned.

Director Nicely – And Gilberto and all them are seeing what we are doing as far as cleaning out the boxes underneath.

General Manager Shadden – Yes, they are helping us.

Amos Roy – It is his crew.

Director Nicely – I understand, I understand. But they are going to see all these pictures again with their people.

General Manager Shadden – We were waiting to finish cleaning all the ditches and boxes and then go back to TxDOT and say look we have improved the ditch on the lower side. I talked with Cody about him giving us a letter from the Engineer to say if they add the extra box under I10 that Spindletop will handle it now and we have widened it and taken all the trash out of it now and to start pushing for our State Representative to get on them to get the boxes put under the freeway. That is the game plan.

Director Nicely – Okay.

II. UTILITIES REPORT:

Mike Will reported on Water and Wastewater.

1. Crews have been working on the lead service line inventory. The lead service line inventory is an inventory of every service line in our distribution system, including both the utility owned and customer owned service lines.
2. West WTP ground storage tank replacement update:
 - a. The geophysical test has been completed.
 - b. Soil samples have been collected.
 - c. Surveying has been completed. Details from the survey were sent to Plummer Engineering last week. We have a meeting on 9/11/24 at 11:00 a.m. to discuss the best place to put that new tank at, construct it at.
3. Plummer Engineering completed lift station drawdowns on the west side of the district last week. This is part of the wastewater study they are conducting.
4. Completed water and sewer installations:
 - We installed 8 residential grinder stations.
 - We installed 1,141 feet of sewer discharge line.
 - We installed 3 gravity sewer taps.
 - We installed 12 new water meters.

- We relocated 1 grinder station basin.
- We installed 10 water meters in the Cypress Point Subdivision.
- We repaired 44 water leaks.
- We repaired 3 sewer leaks.
- We responded to 136 grinder station callouts.
- Main leak that we had on this side that we had such a high lose on, was found by Chico Saturday while working on another project. It was a 3" line broke down just dumping straight into a slip line main and going right into a manhole. So, they have made that repair and it has corrected our problem of that loss of 300 to 500,000 gallon a day. That is the reason we could not find it, we checked lift stations, manholes, this one was about 4 manholes down from the sewer plant. We were working in that direction when Chico found it. That was a great find for us. That is all I have, if you have any questions, I will be happy to answer them.

General Manger Shadden – This is a swimming pool uh..

Mike Will – Yes, this is on the west side. I think it is off 63.

General Manager Shadden – That is some of the brown water issues. We have cleared all of that up?

Mike Will – We have.

General Manager Shadden – No more brown water issues.

Mike Will – No more complaints.

Director Nicely – Mike, did you find anything last month on that gentleman that came in from I believe, Indian Hills?

Mike Will – Indian Trails. I went down there after the meeting and they had already gone out of town by the time that I had gotten there. They had an appointment in Houston. So I went down there and got with the operators and what it was, the line that ran in front of them, there are 2 lines, there is a 2" and a 6" unbeknown to the operator, so he was flushing the incorrect dead end. So, I met him out there and we got that resolved and cleaned up their issue.

Director Nicely – Very good.

General Manager Shadden – One piece of bad news. Mike filled out paperwork to retire.

Vice-President Turner – Does that have to be passed by the Board (everyone laughs)?

General Manager Shadden – I believe it does.

Mike Will – December 31st will be my last day.

Vice-President Turner –You have been a tremendous asset to this company.

Mike Will – I appreciate that.

General Manger Shadden – Yes he has.

Vice-President Turner – Very proud of you and all you have accomplished.

Mike Will – Trinity Bay has been great to me and my family so I appreciate it as well. Thank y'all.

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:

Vice-President Turner – I would like to say it has been my honor to serve on this Board for many years. I am going to pass the baton to someone else. I hope y'all can find someone who is pretty good. Had my on drainage, my area west side of the District, there is a lot of drainage issues over there and Jerry is aware of some of the projects that I have really advocated for. Maybe we can get them passed.

General Manager Shadden – I am trying.

Vice-President Turner – Is has been a ride.

General Manager Shadden – Yes it has.

President Caraway – Well we appreciate your service and we still have you for a month or two.

Vice-President Turner – Yes. I want to be invited to the last Safety Meeting.

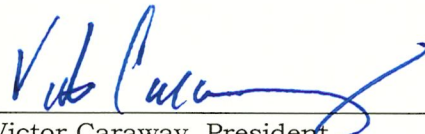
General Manager Shadden – Okay.

VII. ADJOURN.

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

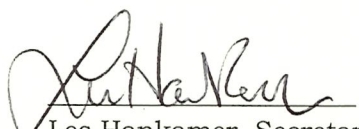
Meeting Adjourned at 9:32 a.m.

READ AND APPROVED:



Victor Caraway, President

Attest



Les Hankamer, Secretary

Date: 10-9-24