

MINUTES OF  
REGULAR MEETING  
FEBRUARY 17, 2009

THE STATE OF TEXAS           §

COUNTY OF CHAMBERS         §

WHEREAS, on the 17<sup>TH</sup> day of February , 2009 a regular meeting of the Board of Navigation and Canal Commissioners of the Chambers-Liberty Counties Navigation District was duly convened at the District's office at 211 Miller Street, Anahuac, Texas, and held in all respects in accordance with law, and to the extent required by law due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting, and a legally sufficient number of members of said District voted in the proper manner; that all other requirements and proceedings under the law incident to the proper adoption or passage of the following order, including publication, as required, has been duly fulfilled, carried out, and otherwise observed; and the following members were present, to wit:

Terry Haltom, Chair  
Billy Combs, Vice-Chair  
James B. Sterling III, Secretary  
Tommy Myzell, Member  
Allen Herrington, Member

Staff present:                 Mary Beth Stengler, General Manager  
                                      Claudia Sandoval, Administrative Assistant  
                                      Wayne Morris, Canal Superintendent

Guest present:               George (Pudge) Willcox, Consultant  
                                      Wes Kruger, WEC

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2009-02-03 Financial reports: Motion was made by Sterling, seconded by Myzell and unanimously passed to approve the financial reports.           Passed  
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2009-02-04 Investment report: The report was not available for this meeting.  
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2009-02-05 Repairs from Hurricane Ike: We are still working on debris cleanup. We did not start our debris cleanup until January, so we have not received any money from FEMA on debris cleanup. We are about 50% complete on repairs. There are 30 PWs that have been completed with FEMA.

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2009-02-06 2008 water rental: The board was given a report showing \$127,000.00 outstanding in water rent for 2008.

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2009-02-07 2009-2010 Irrigation Budget: Discussion was brought up with regard to putting our income we receive from FEMA, and what expenses we may have from Ike, on our budget. Talk was brought up about using clay to repair our lake levee instead of dredge material. With clay the placement would be better than using dredge material that will run wild.

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2009-02-08 FEMA extended recovery program: Pudge Willcox gave a report with regard to the Long Term Recovery committee is a committee that is dealing with restoration of Trinity Bay. This program is through ESF 14, they com in with FEMA contractors and they look at the projects you would want to do to make yourself better than what you were before the storm. This committee needs to restore the bay like it was before the storm and to make it even better. The General Land Office is doing a sonar scan to see what debris is in the state lands. We will see about going into an interlocal agreement with the GLO about debris reimbursement. There is debris in the Trinity River delta and whose responsibility is that?

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2009-02-09 Property deed-Ben Nelson: There were two areas that did not get deeded to Ben Nelson when the district did the land swap. The original deed was 2.486 acres and Pudge doesn't know why we didn't do those two areas. This was not part of the original deed. The County wants to do away with the boat ramp and park, so they are working with Ben to get the boat ramp and park. The County will get another piece of property to put the boat ramp on from Ben. The District has concerns about not advertising the property as surplus, if this was our original intent, we should have done it then. It doesn't look like the land was ever intended to be a part of the deed. The County road comes to that piece of land, so if we go by boat, then we will have a place to unload.

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2009-02-10 Meeting Cedar Bayou Navigation District: General Manager Stengler reported on a meeting she and Billy Combs attended with three representatives from the Cedar Bayou Navigation District. These men made up the regulatory committee for all projects within Cedar Bayou. One thing they talked about was the dredging project and the hope to get funding from the bailout project. One conversation was about the ruling from the Attorney General and their extended power that gives them extra jurisdiction where they can do permitting. They were wanting to know if they came up and tried to put regulation in with new dock if we would be inclined to mirror whatever they do, so the whole Cedar Bayou is uniformed under one set of regulations. We explained our Navigation District doesn't need to be in the permitting business, if there is something that deals with safety of traffic going up and down the channel, then we would be happy to listen to them. They did ask if we would be willing to let them be our authority over there, but we let them know we won't be inclined to

that. They have nothing now, but if it has something to do with the safety within our jurisdiction of the channel, then we would be happy to listen to them. The new Cedar Bayou Terminal does lie with the C-LCND boundaries.

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2009-02-11 2009-2010 Preliminary budget: This will be brought back next month.

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2009-02-12 Educational boats: Wes with the WEC reported after FEMA wanted a new scope of work established, bids were sent out and Alpha Mar was the low bidder for repairs to the Moss Bluff. They should be done with the repairs this week and they did not have to move the boat to a different location for repairs. The total repair job is now \$ 36,210.00.

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2009-02-13 Surplus property-Smith Point: Motion was made by Sterling, seconded by Myzell and unanimously passed to declare Smith Point Vessel as surplus property. Passed  
We will be getting surplus property values for all parties concerned.

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2009-02-14 Donations Smith Point Vessel: Motion was made by Sterling, seconded by Myzell and unanimously passed to donate the Smith Point vessel to the Texas Maritime Academy. Passed

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There being no further business, or public comments, motion was made by Combs, seconded by Sterling and unanimously passed to adjourn. Passed

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Accept this the 19<sup>th</sup> day of May, 2009.

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Terry Haltom, Chair

Attest:

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James B. Sterling III, Secretary