

MINUTES OF  
MAY 19, 2009

THE STATE OF TEXAS           §

COUNTY OF CHAMBERS       §

WHEREAS, on the 19<sup>th</sup> day of May, 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  
James B. Sterling III, Secretary  
Tommy Myzell, Member  
Allen Herrington, Member

Board absent:               Billy Combs, Vice-Chair

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

Guests present:           Roger Baham, Chambers County Resident  
                                  Guy R. Jackson, Mayor, City of Anahuac  
                                  Judy & Bobbie Payne, Liberty County Residents  
                                  George (Pudge) Willcox, Consultant  
                                  Tom King, Espey Consultants  
                                  Chuck Settle, Espey Consultants

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2009-05-01 Minutes:     Motion was made by Myzell, seconded by Sterling and unanimously passed to approve the minutes of November 18, 2008; December 18, 2008; January 29, 2009; workshop on February 17, 2009; regular meeting of February 17, 2009; and March 17, 2009.     Passed

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2009-05-02 Financial reports: Motion was made by Sterling, seconded by Myzell and unanimously passed to approve the financial reports. Passed  
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2009-05-03 Repair status-Ike: Discussion was brought up concerning the work that is continuing to be done. We are working on the west side of the levee, and the cost for this clay material is \$9.00 per yard for everything. The County has received CDBG money and the Navigation District should receive \$6 million for the east side of the levee, as long as the project falls under the scope of failure to function or damaged by the storm, and according to Mayor Jackson this money is guaranteed. From what we've heard we are getting closer to the 90/10 split.  
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2009-05-04 Bank Depository Bid: Motion was made by Myzell, seconded by Herrington and unanimously passed authorizing the General Manager to advertise for bank depository for the District. Passed  
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2009-05-05 Federal Grant-U.S. Department of Commerce: Mayor Jackson came before the board to talk about the marina project and from his understanding the District would reconsider if the City of Anahuac and the Anahuac Municipal Development District were interested in coming in as 1/3 partners each. The City of Anahuac has met and they have agreed to come into an interlocal for 1/3 of the project. The MDD meets tonight and he has talked with the Chairman of the Development District and the Chairman is amenable to this project. The City will be in for 1/3 and the MDD will be in for 1/3. If the grant is awarded, it comes out to \$45,000, is what each one of us will be responsible for of the \$135,000.00. In the grant there is 10% administration provision that comes back to the entities. If all this fails, the most each entity will be out will be \$5000.00. This money has nothing to do with ORCA or HGAC. We have not decided who will be the person who will oversee the project. This will not be in competition with the project the County has at Joe Beason Park. Motion was made by Sterling, seconded by Myzell and unanimously passed to go along with Mayor Jackson's proposal to sponsor 1/3 of the study in the amount of \$5000.00. Passed  
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2009-05-06 West Chambers County Water Project-Amendment to Certificate of Adjudication & Amendment to Region H. Plan: Pudge Willcox stated the amendment to the certificate of adjudication is still in the process through TCEQ.

Mr. Willcox stated in order for us to get funding through the Water Development Board there has to be an amendment to the Region H Plan. The Region H plan has to be updated in 2010 and instead of having Chuck Settle do the table amendments, we will have the Region H consultants make a natural amendment to the new plan that will be adopted in 2010. Mr. Willcox stated we have not had any more people saying they want water on the west side.  
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2009-05-07 Water Conservation & Contingency Plan: This matter will be

brought back next month where a public hearing will be held. The public hearing will be set at 2:30 pm on June 16<sup>th</sup>, 2009.

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2009-05-08 Roger Baham-Lake Anahuac Marsh: Mr. Baham came before the board to discuss 500 acres he has leased on the north side of Lake Anahuac, where he has cattle. It has been under water for six weeks and he was wondering when the District will be able to pump it out so he can utilize his grass. The canal superintendent stated the only way to get this water out is to pump and with the amount of rain, we haven't been able to get the pumps back in; it may take another month.

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2009-05-09 Resolution donating life boat to Texas A & M Maritime Academy: Motion was made by Sterling, seconded by Myzell and unanimously passed to execute the resolution donating the Thompson Lykes life boat to Texas A & M Maritime Academy. Passed

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2009-05-10 Irrigation water 2009 crop year: Due to the salinity still located in Lake Anahuac, motion was made by Sterling, seconded by Herrington and unanimously passed to that no fresh water will be available for rice this year. Passed

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2009-05-11 Public Comment: Mrs. Payne stated the Navigation District doesn't need to take the lead on the marina project.

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

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Accept this the 16<sup>th</sup> day of June, 2009.

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Terry Haltom, Chair

Attest:

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James B. Sterling III, Secretary