DRAFTMINUTES OF JUNE 16, 2009

THE STATE OF TEXAS §

COUNTY OF CHAMBERS §

WHEREAS, on the 16th day of June, 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

Guests Present: Dana Evans, Anahuac Municipal Development District

Tom King, Espey Consultants

George A. (Pudge) Willcox, Consultant Mayor Guy R. Jackson, City of Anahuac

Bobbie & Judy Payne, Liberty County Residents

2009-06-01 Public Hearing Water Conservation and Contingency Plan: First

on the agenda was the scheduled public hearing for the Water Conservation and Contingency Plan. Motion was made by Sterling, seconded by Myzell and unanimously passed to approve the Water Conservation and Contingency Plan.

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2009-06-02 Minutes: Motion was made by Sterling, seconded by Herrington and unanimously passed to approve the minutes of April 21, 2009 and May 19, 2009. Passed

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2009-06-03 <u>Financial Reports:</u> Discussion was brought up concerning the best way to categorize the money we will be receiving from FEMA. Motion was made by Combs, seconded by Myzell and unanimously passed to approve the financial reports.

2009-06-04 <u>Statues-Ike repairs:</u> General Manager Stengler stated we are still doing debris cleanup around the lake, and we still have about 25% of debris in the canals. We have around 295 gate structures that will need to be repairs on the canal. We should be close to the 90/10 split.

2009-06-05 <u>Bank Depository bids and contract:</u> The only bid received was from Security State Bank. This bid showed .77% interest per annum on deposits compounded monthly. The Board felt we need to shop around. Motion was made by Combs, seconded by Sterling and unanimously passed to hold off on the bank depository bid until we check out some more banks and try to get some more bids.

Passed

2009-06-06 Interlocal agreement City of Anahuac and Anahuac Municipal Development District-Marina: Mayor Jackson gave the Board an update on the City Council Meeting. One question they had was if David Baker, who is their grant writer would be willing to do the work to obtain the U.S. Department of Commerce grant. Mr. Baker stated he is too busy and he didn't know of anyone else who may work on this grant. The Mayor then asked him about the fee the Archer Group is charging. He stated that was extremely low which is 6% of the overall grant, usually grant writer would get 10% up to 25% of the amount of a grant, just on the surface, looking at it, that's who he recommends we should use. All entities should get 4% on administrative side of the grant. The Navigation Board stated we voted our part contingent on whatever the City decides to do. There is a simply agreement that has been drafted by the attorney, but the Mayor did not have it with him. This agreement would be for state that the three entities will share 1/3 of the cost for the Archer Group. Once the grant is awarded then we would come back with a formal agreement about putting the grant in place. The Mayor stated that the new City Administrator has a background in city planning and in grant administration, so he feels it would best to use her skills and the City of Anahuac would probably take the lead in The Archer Group will do the preliminary plans for the grant proposal. When we are awarded the grant the Archer Group is then entitled to their money. then that is when we have to pay the \$45000.00 each.

2009-06-07 <u>Interlocal agreement with GLO:</u> General Manager Stengler presented the board with a copy of the interlocal agreement between the General Land Office and C-LCND with regard to the debris cleanup in our submerged lands.

2009-06-08 Dredging projects: Pudge Willcox reported that he met with the

Corps of Engineers and they are working on Cedar Bayou and the Anahuac Channel. The Corps is hoping to have enough stimulus money to get those two channels done with the first round of money. This money may come in the first on the Corps fiscal year, which starts in October. The dredging contractor will bid on both projects. When the Corps surveyed last month at the Anahuac Channel there are spots where that is only 1 foot deep. The Corps is actively pursing the funding for these projects. The next issue is the spoil areas at Cedar Bayou, there are three open bay disposal areas that have now developed oysters. The Port of Houston Authority has an older site they are no longer using, and we are working with them to let them assign this to us. We have the 52 acre site from the Jennings family, and we will meet with them to figure how to best use this site. Site 6, we are looking to raise the levee up three feet to carry another round. We did write a letter to Charles lupe at Cedar Crossing asking if we could increase the size of Site 6 using a part on the land at Cedar Crossing. Mr. Combs asked if we ever contacted the Coast Guard about putting markers at Cedar Bayou as aid to Navigation, especially at the big bend.

Cedar Bayou as aid to Navigation, especially at the big bend.

2009-06-09 Preliminary Assessment Values: Motion was made by Combs, seconded by Myzell and unanimously passed to accept the preliminary assessment values from both Liberty and Chambers County. Passed

2009-06-10 Public Comments: Mr. Payne stated he's not happy with the fee amount of the grant writers are requesting.

The Board went into executive session at 3:20 pm to discuss personnel, the regular meeting was reconvened at 3:40pm at which time upon a motion made by Combs, seconded by Myzell, the meeting was adjourned. Passed

Accept this the 21st day of

Terry Haltom, Chair

James B. Sterling III, Secretary