

MINUTES OF
JULY 19, 2011

THE STATE OF TEXAS §

COUNTY OF CHAMBERS §

WHEREAS, on the 19th day of July, 2011, 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
Tommy Myzell, Vice-Chair
Allen Herrington, Secretary
Ken Coleman, Member

Members absent: Ken Mitchell, Member

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

Guests present: Ben Cowart, Cedar Marine Terminals, LP
 Johnnie Jennings, Jr., Chambers County resident
 Cody Croley, Carroll & Blackman, Inc.
 George (Pudge) Willcox, Consultant

2011-07-01 Minutes: Motion was made by Myzell, seconded by Herrington and unanimously passed to approve the minutes of June 21, 2011. Passed

2011-07-02 Financial Reports: Motion was made by Myzell, seconded by Coleman and unanimously passed to approve the financial reports. Passed

2011-07-03 FEMA projects: The Board was given a status report on the current FEMA projects and the current audit process.

2011-07-04 CDBG projects: Cody Croley informed the Board that the wooden flume project is in the final design phase and should be submitted to the State by the end of July. Once it is accepted by the State, which will take about one week, then it will be sent to Chambers County so they can ask for bids on this project. The east side of Lake Anahuac project is not moving as fast. We have visited with the landowners where we would like to have access points up to the Lake, so the State Historical Commission can perform a shovel dig to see if any artifacts might be uncovered. This procedure can take two to three months, than it may take two to three months to get easements. All bids and invoices for both of our CDBG projects will go through Commissioners Court of Chambers County.

2011-07-05 21' life boat: Motion was made by Herrington, seconded by Myzell and unanimously passed to declare this 21' life boat as surplus property. Passed

2011-07-06 NRCS program: The Board was advised that the NCRS will be having their duck watering program again this year. The total acreage should be between 8,000 and 10,000 acres. The NRCS is aware that with the water being as tight as it is, we will give them water later in the year as water is turned off the rice crops.

2011-07-07 Dredging projects: The dredging has been completed in the Anahuac Channel, so they will be working at Cedar Bayou. With regard to the District's dredging application; to respond to all questions that have been asked by the Parks and Wildlife, Fish and Wildlife and TCEQ; we would run out of time to do the dredging while the dredging company is in the area, as well as the cost to hire an engineer to respond to their comments. A letter will be sent to withdraw our permit application. The Coast Guard will be asked to investigate the Anahuac Channel accident.

2011-07-08 Spoil placement area 6: Ben Cowart, with Cedar Marine Terminal came before the Board asking to use spoil placement area 6 for their company's dredge material. A letter will be written to the Corps with the same concerns that we stated in the letter to the Jennings permit application. Cedar Terminal has to dredge quite often due to the way the traffic comes into Cedar Bayou which causes added expense to them, as well as could be a safety issue with the barges hitting their docks. Mr. Jennings asks that a letter be sent to the Corps reminding them on our position with regard to his application. The District still hasn't heard anything on a temporary easement from Cedar Crossing to get to placement area 6 by land.

2011-07-09 Board of Equalization hearing: The Board of Equalization hearing will be set for 2:00 pm on August 16, 2011.

2011-07-10 Archer Group refund: The Board would like to see what the

fee will be to the District to file suit asking for the \$5000.00 refund from the Archer Group.

2011-07-11 Executive session: The Board went into executive session at 3:55 pm to discuss personnel. The regular meeting was reconvened at 4:30 at which time a motion was made by Myzell, seconded by Herrington to run a legal notice and advertise for the canal superintendent position. Passed

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

Accepted this the 16th day of August, 2011.

Terry Haltom, Chair

Attest:

Allen Herrington, Secretary