

**Public Comments from April 20, 2021**  
**Meeting for San Leon Municipal Utility District**

Phillip Haskett

- My first question: the board meeting packet. If you would see about getting it posted at least a few hours before the meeting so that the public can know what you guys are going to be working on. The relevance of that is that the agenda this month mentions a change order for the wastewater treatment plant and I'd like to know what the amount of that is and what the work is exactly for and whether or not any of that work could've been avoided had we gone ahead and proceeded with expanding the discharge line from 24 inches to 48 inches which was part of the original preliminary engineering design and part of the original allocation from TCEQ for the bonds. We've got the money there, I know that the board has asked to reallocate it, but if we're going to be doing work that affects the outfall line, we might've been able to avoid spending that money; we could've expanded the line... and we're going to have to do that sooner or later... going to 1.9 million gallons on permit, we're going to need a bigger line... I don't know the calculations, but if you thought it was needed 2 years ago, it can't be far down the line that we're gonna need this thing.
  - The board members who have been elected to represent the community with regards to District affairs are delivered the packets ahead of the meeting for consideration. There is currently no legislation requiring the board packets be posted for public access. In the interest of transparency, the packets will be posted to our website the day prior to the meeting.
  - Underground conditions are not always amenable to discovery during the design phase. Upon excavation of the site for installation of the effluent line, it was discovered that the 24" line would intersect with the force main, resulting in the change order presented to the board at the meeting. This scenario would have occurred regardless of the size of the line, and in fact could have been a much more serious issue had the 48" effluent line been utilized. This increased line size would have not only resulted in increased intersection with the force main in question, it would have intersected with a second force main as well.
  - The initial analysis of the effluent line indicated that storm surge and historical consumption would overwhelm the 24" effluent line, necessitating the expansion to a 48" line. However, as discussion about the project continued, it was brought up that San Leon would be under mandatory evacuation should a storm surge situation arise, thereby reducing or eliminating the load at the plant and potentially not requiring the increased effluent line. After reevaluating the design and load based on those criteria, the existing effluent line was accepted by the TCEQ as sufficient, resulting in the budgeted funds for the expansion no longer being necessary.

## John Wade

- Do we have any update on Texas Pride on their trash increase? Are they finding that the increase is acceptable, are they planning to do away with it at this point? Basically, do we have any further data on that would be my one question.
  - The temporary increase of Texas Pride's rates was instituted through June, so we will be maintaining contact with them as that deadline approaches to determine if their cost of operations has stabilized and can support a return to the contracted rate of \$19 for trash and recycling service.
- Following up on Mr. Haskett's question, from past board meetings it's my understanding that the engineering showed that that line size increase was not needed and that that became an unnecessary expenditure. Presumably it's not needed up to the full capacity of the plant expansion; if anybody could tell me anything different that would justify doing something that was calculated to not be needed, I'd love to hear about it.
  - The initial analysis of the effluent line indicated that storm surge and historical consumption would overwhelm the 24" effluent line, necessitating the expansion to a 48" line. However, as discussion about the project continued, it was brought up that San Leon would be under mandatory evacuation should a storm surge situation arise, thereby reducing or eliminating the load at the plant and potentially not requiring the increased effluent line. After reevaluating the design and load based on those criteria, the existing effluent line was accepted by the TCEQ as sufficient, resulting in the budgeted funds for the expansion no longer being necessary.
- Mr. Jetelina has cited opinions he's received from professional attorneys and bankers, licensed and regulated people in the state of Texas. Has he provided you with any of their signed opinions to back up the statements he's making?
  - The District has not received any documents from licensed professionals supporting Mr. Jetelina's opinions.

## Paul Fenn

- What was the result of the TCEQ's position on reallocation?
  - The TCEQ has acknowledged the application for reallocation as administratively complete and it is currently undergoing a technical review. They have requested additional documentation on the proposed projects, which will be provided to them shortly.

David Jetelina

- Andrew, continuing from last month, regarding your claim that specific safeguards were put in place to protect the public against prevent future embezzlement at the fire services contractor. I consulted an experienced attorney at my bank and they assure me that your claimed safeguards at the fire services contractor would not offer an ounce of enhanced financial security. Regarding the claimed safeguards to address nepotism: what specific issue has the fire services contractor had with nepotism? What specific nepotism guidelines were put in place? How does addressing nepotism aid in the wholly unaddressed lack of meaningful controls at the fire services contractor?
  - As previously expressed in response to similar questions you've proposed to the District, any questions regarding the San Leon Volunteer Fire Department should be directed to that entity. The San Leon Volunteer Fire Department has their own management structure to address operations. The District's authority is the operation and maintenance of the water and sewer infrastructure for the community; the District has exercised its authority to contract for fire services, but does not have additional authority to dictate operational aspects of the VFD.
- To the board: in consideration that Thursday is Earth Day, regarding the dumping of district effluent into Galveston Bay, you admitted that a nefarious contractor illegally dumped dangerous material into the sewer plant. What letters of reprimand were sent to said contractor? What written explanation was obtained from said contractor? Why was the contractor not held financially responsible? Why did the letter of contract termination from our attorney, eventually issued to Impact Waste by the WCID attorney, not include reference to illegal dumping of dangerous material at the sewer treatment plant? Isn't it true that other dumping incidents occurred at the sewer treatment plant, those incidents allegedly involving dangerous waste materials from port-o-potties? What investigation was conducted concerning those incidents? Why was this not addressed at the recent TCEQ investigation?
  - When we contacted Impact Waste regarding their transgression, it was explained that a newer driver was either unaware that our facility wasn't rated to receive the waste product or had determined of his volition that driving to the designated facility was unnecessary since there was a wastewater plant nearby where it could be disposed of. Thanks to the efforts of our skilled operators, the facility was quickly returned to normal and did not result in measurably increased costs, therefore we did not have a dollar value with which to hold Impact Waste responsible; the loss of our business was considered to be sufficient repercussion given the volume of business the District maintained with their firm. While there are infrequent disposals of port-o-potty waste at the facility, the product coming from those situations is similar to domestic wastewater that would typically come through our collection systems and does not represent "dangerous material" as you've alleged.

- For Mr. Miller, Andrew Miller, in addition to your claim that you were reared in Pennsylvania, isn't it true that you do not live in, receive water services from, nor pay any taxes in a WCID District? Isn't it also true that you are a member of Mensa and a Democrat?
  - As relayed to you during previous board meetings, personal attacks against District employees will not be tolerated. The place of residence, either currently or in the past, along with membership of an organization, political or otherwise, has no bearing upon the performance of a District employee. Therefore, this question will not be legitimized with a response.
- I hereby request that each board member provide a comprehensive and up to date curriculum vitae, which shall be posted to the WCID website.
  - The District is currently in compliance with State law regarding published information on its Directors. Your request has been noted; if the District feels this course of action would benefit the community, we will take action to that effect.
- Lastly, a question for the WCID treasurer and bookkeeper, who's not present: does the WCID maintain all customer deposits in a separate and segregated deposit-only bank account, that being separate and apart from any other WCID funds.
  - Yes.

Robin Burke

- Mr. Jetelina's tabloid keeps indicating that the MUD is somehow or another polluting the bay. I'm hoping that y'all can address that and let us know what the real truth is.
  - The process for treating wastewater at our facility has several facets, each of which is designed to protect the environment and preserve our natural resources. When the wastewater initially enters the plant, it is run through a specially designed screen that captures many of the objects that come through the collection system. By the time the wastewater reaches the facility, toilet paper has degraded and is no longer a concern; flushable wipes, personal hygiene products, and sometimes even clothes or toys are caught by the bar screen and removed from the treatment process by the plant operator. From there, the wastewater goes through a series of different chambers, facilitating the microbial breakdown of the solids that are present in the wastewater. Once sufficient separation of solids and liquids has occurred in the clarifier, the solids are removed to a separate unit and treated. Our facility utilizes a machine in the final removal of solids that mixes the solids with a polymer to dewater it, then compresses the product through a series of belts to remove nearly all the remaining liquid (which is returned to the plant and undergoes the treatment process again), resulting in a final "caked" product that is carted off to a TCEQ registered land fill at one of several local facilities rated to receive the product. Back at the plant, the liquid goes through a separate refining process, mixing with disinfecting chemicals to

address the remaining bacteria. Prior to exiting into the bay, the effluent is tested by both District employees and a State-certified lab to ensure it meets all State standards, guaranteeing that the final product will not negatively impact the receiving stream's plants or wildlife. There are very severe penalties for discharging effluent that results in the loss of plant or animal life, so this process is highly monitored and handled with the utmost importance.