

LONE STAR GROUNDWATER CONSERVATION DISTRICT

January 22, 2019

MINUTES OF SPECIAL MEETING

The Board of Directors of the Lone Star Groundwater Conservation District (“District”) met in special session, open to the public, in the Lone Star GCD - James B. “Jim” Wesley Board Room located at 655 Conroe Park North Drive, Conroe, Texas, within the boundaries of the District on January 22, 2019.

CALL TO ORDER:

President Melder presided and called to order the Special Board of Directors meeting at 5:15 PM, announcing that it was open to the public.

ROLL CALL:

The roll was called of the members of the Board of Directors, to wit:

Jon Paul Bouché
Harry Hardman
Webb Melder
Jonathan Prykryl
Larry A. Rogers
Jim Spigener
Stuart Traylor

All members of the Board were present, thus constituting a quorum of the Board of Directors. Also, in attendance at said meeting were Kathy Turner Jones, General Manager; Samantha Reiter, Assistant General Manager, Stacey V. Reese, District Counsel; District staff; and members of the public. *Copies of the public sign-in sheets and comment cards received are attached hereto as Exhibit "A".*

PRAYER AND PLEDGES OF ALLEGIANCE:

President Melder called on Director Traylor, for the opening prayer and Director Prykryl to lead the United States Pledge of Allegiance and the Pledge of Allegiance to the State Flag - Texas.

RECESS INTO CLOSED MEETING:

After a proper and legally sufficient announcement to the public by President Melder, the Board of Directors recessed into a Closed Executive Session at 5:17 PM pursuant to Texas Government Code, Sections 551.071, to consult with the District's attorney regarding pending or contemplated litigation, a settlement offer and/or a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, Chapter 551, Government Code.

RE-CONVENE OPEN ACTION MEETING AT 6:00 P.M.

CALL TO ORDER:

President Melder reconvened the Special Board of Directors meeting and called to order the open action meeting at 6:04 PM, announcing that it was open to the public.

ROLL CALL:

The roll was called of the members of the Board of Directors, to wit:

Jon Paul Bouché
Harry Hardman
Webb Melder
Jonathan Prykryl
Larry A. Rogers
Jim Spigener
Stuart Traylor

All members of the board remain present, thus constituting a quorum of the Board of Directors.

PUBLIC COMMENT:

Jackie Chance, General Manager of MCWCID #1, updated the Board on area well water levels for this year and aquifer stabilization. He reported no lowering of water table levels as has been the case for the past forty years. In addition, Mr. Chance expressed opposition to Item #12.

Ginger Russell spoke against Item #12 expressing limited government intervention and reduced government spending.

Reagan Reed spoke against Item #12 citing the Republican platform stance against lobbying and the District expenditure for lobbyist without guaranteed return.

John Wertz, Jennie Stephenson, Kelli Cook all residents of Montgomery County filed comment cards in opposition to Item #12, but did not request to speak.

APPROVAL OF THE MINUTES:

President Melder stated the Board would consider meeting minutes as listed for approval on today's agenda. Director Bouché asked that the minutes be amended to reflect his stand against hiring a lobbyist. Upon a motion by Director Hardman seconded by Director Spigener, the board approved the meeting minutes as amended.

a) January 15, 2019, Work Session and Special Board of Director's Meeting

DISCUSS, CONSIDER, AND TAKE ACTION AS NECESSARY REGARDING DELEGATION OF AUTHORITY TO THE VICE PRESIDENT IN THE ABSENCE, OR UNAVAILABILITY, OF THE PRESIDENT:

Director Spigener motioned to delegate all authority President has under bylaws of the District to Vice President in the absence, or unavailability, of the President including without limitations authority to preside over meetings and execute documents on behalf of the District. Director Rogers seconded. Motion passed.

DISCUSS, CONSIDER, AND TAKE ACTION AS NECESSARY REGARDING PENDING LITIGATION BY CITY OF CONROE ET AL. V. LONE STAR GROUNDWATER CONSERVATION DISTRICT (AND THE DISTRICT'S DIRECTORS AND GENERAL MANAGER IN THEIR OFFICIAL CAPACITIES), INCLUDING WITHOUT LIMITATION SETTLEMENT OFFERS IN CONNECTION WITH CAUSE NO. 09-18-00383-CV PENDING BEFORE THE BEAUMONT COURT OF APPEALS AND CAUSE NO. 15-08-08942 PENDING BEFORE THE 284TH JUDICIAL DISTRICT COURT OF MONTGOMERY COUNTY, TEXAS:

Stacey V. Reese, General Counsel, reminded the Board that all settlement information must remain confidential until settlement is reached. Ms. Reese stated that on Thursday, January 24th, the City of Conroe would be meeting to purportedly review/sign the settlement agreement. Director Hardman motioned to approve a signed settlement agreement in the form presented in the Executive Session contingent upon all parties agreeing and effective on a future date when all parties were able to sign. Director Traylor seconded. The motion carried.

DISCUSS, CONSIDER, AND TAKE ACTION AS NECESSARY ON REQUEST FOR PROPOSALS FOR LEGISLATIVE SERVICES FOR RFP #01-2019 AND/OR A LEGISLATIVE CONSULTANT/SERVICE:

During discussion directors offered varying views, but no consensus was reached. Director Prykryl stated his opposition to using lobbyists but suggested using TAGD (Texas Alliance of Groundwater Districts) and District staff. Director Traylor was against lobbyists. Director Rogers declared it typical to have lobbyists, but he opposed tax-payer funded lobbyists for the District. Director Hardman was interested in leaving all options (lobbying implied) for success; open to the District. Director Bouché compared lobbyists and attorneys as being

employees rather than elected and as such, may not care as much about the issues. No action due to lack of motion.

DISCUSS, CONSIDER, AND TAKE ACTION AS NECESSARY REGARDING THE “INTERIM REPORT TO THE 86TH LEGISLATURE” DATED DECEMBER 2018 AND/OR THE SENATE COMMITTEE ON AGRICULTURE, WATER AND RURAL AFFAIRS’ “INTERIM REPORT TO THE 86TH LEGISLATURE” DATED DECEMBER 2018:

Following discussion, Director Prykryl moved that no action be taken. Jim Spigener seconded. Motion passed.

Director Traylor exited meeting at 6:32 PM. A quorum remains present.

NEW BUSINESS:

Director Rogers requested an item be placed on the agenda once the Board received feedback from consultants regarding review of the USGS agreement.

ADJOURN:

There being no further business, upon a motion made by Director Rogers and seconded by Director Prykryl, the meeting was adjourned at 6:33 PM.

PASSED, APPROVED, AND ADOPTED THIS 12th DAY OF FEBRUARY 2019.



Stuart Traylor, Board Secretary



SIGN IN SHEET

January 22, 2019
Special Board Meeting

Do you wish to speak on an agenda item?	NAME	CITY, STATE, ZIP	E-Mail	Would you like to receive LSGCD updates & information?
NO	Beth Pinkney	Porter, TX 77305	on file	
NO	JENNIFER SEACE			
No	Mike Thornhill	Round Rock, TX 78664	mthornhill@tgi-water.com	
N	TINA FELKAI	CONROE, TX	ON FILE	
N	Kenny Eric Kelberg	Shenandoah	on file	-
	Jackie W Chavira Sr	WETA #1	jwest1@aol.com	✓
	Ginger Russell	Magnolia 77354	gingerd@sboglobal.net	-
	Scott Custer	The Woodlands, TX, 77382	ON FILE	
	Kelli Cook		on file	
N	Jennie Stephenson	77304 Conroe TX	jenniec@earthlink.net	
	Tom Wertz	Woodlands 77384	on file	
N	Richard Derr	Oak Ridge North	on file	



655 Conroe Park North, Conroe, TX 77303
Ph: (936) 494-3436 Metro: (936) 441-3437
www.lonestargcd.org

Speaker Request Form

Those wanting to comment or register support for or against a specific agenda item are asked to fill out the Speaker Request Form.

Date of Meeting: 01/22/2019
Name: Jackie W Chankast
Address: 2005 S 15th
City: Conroe State: Texas Zip: 77301
Email: swcstp1@aol.com

IF SPEAKING FOR AN ORGANIZATION:

Name of Organization MC WCTD #1
Speaker's Official Capacity General Manager

Agenda Item No.: _____

- FOR (If applicable)
 AGAINST (If applicable)

AGAINST
#12

Registering Position, NOT Testifying _____

To speak on an item not listed on the agenda, please indicate area of interest: equipment stabilization

no water well loss 10/15 ft-11

Please remember to step to the lectern as soon as you are recognized by the chair; state your name before beginning your presentation. If you have written notes you wish to present to the Board, PLEASE FURNISH AN EXTRA COPY FOR DISTRICT FILES.

The Board will appreciate each speaker limiting an address on any one item to three (3) minutes * Thank you for your cooperation

* Only three speakers will be recognized speaking for and three speakers speaking against any one issue.



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Date of Meeting: 1/22/19
Name: John Westz
Address: 74 N Veranda Ridge Dr.
City: Spring State: Tx Zip: 77387
Email: lsutigah@comcast.net

IF SPEAKING FOR AN ORGANIZATION:

Name of Organization _____
Speaker's Official Capacity _____

Agenda Item No.: 12
 FOR (If applicable)
 AGAINST (If applicable)

Not requesting filing to speak. Position against.

Registering Position, NOT Testifying _____

To speak on an item not listed on the agenda, please indicate area of interest: _____

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Date of Meeting: 1/22/18
Name: Jennie Stephenson
Address: 9459 E Woodmark
City: Conroe State: WA Zip: 77304
Email: jenniec@earthlink.net

IF SPEAKING FOR AN ORGANIZATION:

Name of Organization _____

Speaker's Official Capacity _____

Agenda Item No.: 12

FOR (If applicable)

AGAINST (If applicable)

*IN OPPOSITION
to #12*

Registering Position, **NOT** Testifying X

To speak on an item not listed on the agenda, please indicate area of interest: _____

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Date of Meeting: 1-22-19
Name: Ginger Russell
Address: 9902
City: Magnolia State: TX Zip: 77354
Email: gingerdr@global.net

IF SPEAKING FOR AN ORGANIZATION:

Name of Organization self
Speaker's Official Capacity _____

Agenda Item No.: 12 #12 Against
 FOR (If applicable)
 AGAINST (If applicable)

Registering Position, NOT Testifying _____

To speak on an item not listed on the agenda, please indicate area of interest:

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Speaker Request Form

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Date of Meeting: 1-22-19
Name: Kelli Cook
Address: 14218 FM 1097 W
City: Willis State: TX Zip: 77318
Email: kelli.cook.new@gmail.com

IF SPEAKING FOR AN ORGANIZATION:

Name of Organization N/A

Speaker's Official Capacity _____

Agenda Item No.: 12

FOR (If applicable)

AGAINST (If applicable)

12 Against

Registering Position, NOT Testifying

To speak on an item not listed on the agenda, please indicate area of interest: _____

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Speaker Request Form

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Date of Meeting: 1-22-19
Name: Reagon Reed
Address: 11221 Oakridge Manor
City: Willis State: TX Zip: 77319
Email: reagonreed@gmail.com

IF SPEAKING FOR AN ORGANIZATION:

Name of Organization _____

Speaker's Official Capacity _____

Agenda Item No.: lobbyist

FOR (If applicable)

AGAINST (If applicable)

#12 Against

Registering Position, NOT Testifying _____

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