

***NOTICE OF MEETINGS AND HEARINGS  
OF THE BOARD OF DIRECTORS OF THE  
LONE STAR GROUNDWATER CONSERVATION DISTRICT***

***To be held on Tuesday, March 9, 2010, at 9:00 a.m.***

***Lone Star GCD – Board Room***

***207 W Phillips, Suite 301***

***Conroe, Texas 77301***

***NOTICE OF SPECIAL BOARD MEETING***

**TUESDAY, MARCH 9, 2010, AT 9:00 A.M.**

1. Call to Order and Declare Meeting Open to the Public.
2. Roll Call.
3. Executive Session - The Board will recess for a closed Executive Session pursuant to Texas Government Code, Sections 551.071 or 551.072, to consult with the District's attorney on any item on any notice or agenda for today's meetings or hearings regarding pending or contemplated litigation, settlement offers, or on matters 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, or to deliberate the purchase, exchange, lease, or value of real property.

No action will be taken in Executive Session.

4. Re-convene in Open Session
5. Adjourn

# ***NOTICE OF PUBLIC HEARINGS AND MEETING***

**TUESDAY, MARCH 9, 2010, AT 10:00 A.M.**

## **Public Hearing on Permit Applications**

1. Call to Order and Declare Hearing Open to the Public.
2. Roll Call.
3. Receive Permit Hearing Report from General Manager and Consider Granting, Denying, or Amending Applications for the Following Operating Permits and/or Meter Exemptions:
  1. East Montgomery County Improvement District, for a proposed operating permit not to exceed 1.342 mg annually, 21575 US Hwy 59 N, Conroe, Public Supply (PWS) use;
  2. Crystal Springs Water (Timberland Estates), for a proposed amendment to OP, increase of 14.231691 mg annually, 19137 Timberland Blvd, Porter, Public Supply (PWS) use;
  3. Clark Chiropractic Clinic, for a proposed operating permit not to exceed 0.100 mg annually, 23464 FM 1314, Porter, Public Supply (PWS) use;
  4. Conroe Express Concrete, for a proposed operating permit not to exceed 5 mg annually, 11204 Meador Rd., Conroe, Industrial use;
  5. CLW, Inc, for a proposed operating permit not to exceed 0.932 mg annually, 14055 Cox St, Splendora, Industrial use;
  6. Montgomery County Fresh Water Supply (Dist #6), for a proposed operating permit not to exceed 5.022 mg annually, 12081 Lakeview Manor, Willis, Public Supply (PWS) use;
  7. San Jacinto River Authority, for a proposed amendment to OP, increase of 120 mg annually, The Woodlands, Public Supply (PWS) use;
  8. RV Residence, for a proposed operating permit not to exceed 2 mg annually, 13640 FM 1314, Conroe, Public Supply use;
  9. Neubaum Family, for a proposed operating permit not to exceed 0.4 mg annually, 18425 Hwy 105 W, Conroe, Public Supply (PWS) use; and
  10. City of Splendora, for a proposed amendment to OP, increase of 35 mg annually, 26090 FM 2090 E, Public Supply (PWS) use.
4. Adjourn permit hearing.

# ***NOTICE OF SPECIAL HEARING***

before the  
**Lone Star Groundwater Conservation District**  
at the  
**Lone Star GCD – Board Room**  
**207 W Phillips Street, Suite 300**  
**Conroe, TX 77301**

**TUESDAY, MARCH 9, 2010, AT 10:00 A.M.**

1. Call to Order and Declare Hearing Open to the Public
  2. Roll Call
  3. Show Cause Hearing directing James H. Cappiello, ("Respondent"), pursuant to District Rule 2.5, to appear before the Lone Star GCD Board of Directors and show cause why the District should not:
    - A. issue a cease and desist order pursuant to District Rule 2.6(c);
    - B. file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorneys fees and court costs incurred by the District in the prosecution of claims against Respondent for its violations of District Rules; and
    - C. take all other enforcement action that is necessary and appropriate under the laws of the State of Texas.
  4. Consider, discuss, and take action on matters raised in the James H. Cappiello show cause hearing, including, but not limited to, issuing a cease and desist order described in Agenda Item No. 3.A., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 3.B., and taking all other enforcement action described in Agenda Item No. 3.C.
  5. Adjourn special hearing.
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**REGULAR MEETING OF THE DISTRICT BOARD**  
of the  
**Lone Star Groundwater Conservation District**  
at the  
**Lone Star GCD – Board Room**  
**207 W Phillips Street, Suite 300**  
**Conroe, TX 77301**

**TUESDAY, MARCH 9, 2010, AT 10:00 A.M.**

1. Call to Order and Declare Regular Meeting Open to the Public.
2. Roll Call
3. Discuss, consider, and take action as necessary concerning approval of Meeting Minutes:
  - a) February 9, 2010, Special Board Meeting
  - b) February 9, 2010, Public Hearing on Permit Applications
  - c) February 9, 2010, Regular Board of Directors Meeting
4. Committee Reports:
  - A. Rules and Bylaws Development Committee – Kathy Turner Jones, Coordinator
    - 1) Brief the Board on the Committee's activities since the last regular Board meeting, including proposed amendments to the District Rules.
  - B. Policy and Personnel Development Committee – Sam W. Baker, Chair
    - 1) Brief the Board on the Committee's activities since the last regular Board meeting
  - C. Water Awareness and Conservation Committee – Billy Wood, Chair
    - 1) Brief the Board on the Committee's activities since the last regular Board meeting
    - 2) Education/Conservation Awareness Coordinator Report – Marjie Risk
  - D. Budget and Finance Development Committee – Jim Stinson, Chair
    - 1) Brief the Board on the Committee's activities since the last regular Board meeting
    - 2) Review of monthly financial reports
    - 3) Discuss, consider, and possible action regarding approval of Resolution #10-001 adopting FY 2010 Operating Budget
  - E. Findings and Review Committee – Orval R. Love, Chair
    - 1) Brief the Board on the Committee's activities since the last regular Board meeting
      - a) USGS Recharge Project Update
      - b) Redevelopment of Information Technology/GIS Web- Based Mapping

- F. Building and Facilities Committee – Kathy Turner Jones
- 1) Consider, discuss, and take possible action on a recommendation from the committee regarding a real property purchase or lease for District Office relocation.
5. Engineering Report – Mark V. Lowry
    - a) Review of monthly engineering status reports
    - b) Update on activities and findings of brackish groundwater review panel of consultants retained by District
  6. Update on resolutions received by District regarding extension of certain deadlines in District Regulatory Plan Phase II(B) – Kathy Turner Jones.
  7. Discuss, consider, and take action regarding authorizing publication of proposed revisions to District Regulatory Plan Phase II(B) regarding: (1) use of brackish groundwater as an alternative water source; or (2) extension of deadlines.
  8. Discuss, consider, and take action regarding protocol for review and determination of “Total Qualifying Demand” under the District Regulatory Plan Phase II(B) for permits used by the District before January 1, 2010.
  9. General Counsel’s Report – The District’s General Counsel will brief the Board on pertinent legal issues and developments impacting the District since the last regular Board meeting.
  10. General Manager’s Report – The General Manager will brief the Board on pertinent operational and management issues that the District, its employees, or consultants have encountered since the last regular Board meeting.
  11. Public Comment. (*Public comment is limited to a maximum of 3 minutes per speaker.*)
  12. New Business.
  13. Adjourn.

The above agenda schedules for the meetings and hearings of the District represent an estimate of the order for the indicated items and are subject to change at any time.

*These public hearings and meetings are available to all persons regardless of disability. If you require special assistance to attend the meeting or hearing, please contact the Lone Star GCD at 936/494-3436 at least 24 hours in advance of the meeting.*

At any time during one the above meetings or hearings and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon’s Texas Codes, Annotated, the Lone Star Groundwater Conservation District Board may meet in executive session on any of the above agenda items for consultation concerning attorney-client matters (§551.071); deliberation regarding real property (§551.072); deliberation regarding prospective gift (§551.073); personnel matters (§551.074); and deliberation regarding security devices (§551.076). Any subject discussed in executive session may be subject to action during an open meeting.

### **Certification**

I, the undersigned authority, do hereby certify that on March 3, 2010, at or before 5:00 p.m., I posted and filed the above notices of meeting(s) and hearing(s) with the Montgomery County Clerk's office and also posted a copy in the front window of the Lone Star GCD office in a place convenient and readily accessible to the general public all times and that it will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with the Texas Government Code, Chapter 551.

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Kathy Turner Jones, General Manager  
Lone Star Groundwater Conservation District