# LONE STAR GROUNDWATER CONSERVATION DISTRICT

### November 27, 2018

### 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 November 27, 2018.

#### CALL TO ORDER:

President Melder presided and called to order the Special Board of Directors meeting at 3:02 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, District staff; and members of the public. Copies of the public sign-in sheets and comment cards received are attached hereto as Exhibit "A".

#### **PUBLIC COMMENT:**

Richard Hughes, on behalf of Jackie Chance representing Montgomery County WCID #1, expressed opposition to raising water pumping limits. Mr. Hughes provided a historical monitoring report and graph illustrating static well levels within Montgomery County WCID #1 for the period 1983 – 2018. *Copies of the graph and report are attached hereto as Exhibit "B"*.

#### PRAYER AND PLEDGES OF ALLEGIANCE:

President Melder called on Director Bouché, for the opening prayer. Treasurer Spigener led the United States Pledge of Allegiance and the Pledge of Allegiance to the State Flag - Texas.

#### APPROVAL OF THE MINUTES:

President Melder stated the Board could consider all meeting minutes as listed for approval on today's agenda or take them individually. Upon a motion by Director Hardman and seconded by Director Bouché, the Board conditionally approved both meeting minutes to include the duly noted edits to the November 20<sup>th</sup> Public Hearing Minutes proposed by Director Bouché.

- a) November 20, 2018, Special Board Meeting
- b) November 20, 2018, Continuation of Public Hearing on the Proposed Re-adoption of the District's Management Plan.

## DISCUSS, CONSIDER, AND TAKE ACTION AS NECESSARY REGARDING THE FOLLOWING:

- a) Discuss, consider, and possible action regarding approval of First Financial Bank, N.A. Resolution approving and amending authorized banking signors.

  Director Hardman asked Ms. Jones for an explanation of the considerations in authorizing banking signors. Ms. Jones stated the District's current depository banking agreement is held with First Financial Bank expiring August 31, 2019. Funds on deposit are maintained in the District's money market and operating accounts. Director Bouché motioned that only the board officers, General Manager and Assistant General Manager be designated as authorized signors for accounts on deposit with First Financial Bank. Director Hardman seconded. Motion carried.
- b) Discuss, consider, and possible action regarding approval of Resolution
  Amending Authorized Representatives authorized to transmit funds for
  investment in TexPool/TexPool Prime. Ms. Jones explained for the Board's
  information that TexPool/TexPool Prime is listed as a qualified broker with whom
  the District is authorized under our Investment Policy and Investment Strategies
  to engage in investment transactions. Investment rate of return is higher than
  other sources due to pooling of government funds. October average monthly
  interest rate = 2.1438%. Director Spigener motioned to amend authorized signors
  for investment transactions in TexPool/TexPool Prime to include the President,
  Treasurer, General Manager, and Assistant General Manager. Traylor seconded.
  The motion carried.
- c) <u>Discuss and consider Board authorization for Directors to attend "Water for Texas 2019 Conference" hosted by the TWDB in Austin, January 23-25.</u> After a discussion, Director Spigener motioned to approve authorizing up to two board

members to attend the "Water for Texas 2019 Conference". Director Traylor seconded. The motion carried.

#### REVIEW PROFESSIONAL SERVICES CONTRACTS:

President Melder proceeded through the list of contracts asking Ms. Jones for a brief review of each one.

- Graves Dougherty Hearon & Moody Ms. Jones explained that the firm's role was representation of the District's board of directors and general manager in defense of the District's lawsuit: City of Conroe et al. v. Lone Star Groundwater Conservation District.
- Gregory M. Ellis previous counsel representing the District during the DFC appeal.
- Law Offices of Kristen Fancher, PLLC counsel representing the District in matters related to election law and open records requests with regards to litigation exceptions.
- Martin, Earl & Stilwell LLP –lead counsel in the suit against the District.
- Sledge Law Group general counsel to the District.
- Bill Fowler local attorney as needed for enforcement matters.
- BrooksWatson&Co. Existing agreement for audit services for FY2017 and 2018.
- MCB Technologies, LLC managed service agreement for IT services including offsite backup. Current monthly cost = \$1,229.00.
- Halff & Associates service agreements included annual hosting of the District's Database and Permit & GIS Support and Enhancement. After discussion, it was suggested that staff schedule a meeting between Halff & Associates and MCB Technologies with Director Hardman to further review services.
- INTERA existing services related to management plan development and submittal and technical assistance. Most recent: Well Spacing Development memorandum completed September 2018.
- WSP USA (formerly LBG- Guyton) Groundwater technical assistance as needed. Most recent: Strategic Water Resources Planning Study completed Fall 2017 and assistance with DFC appeal.
- Montgomery County Election Services Ms. Jones explained the District's fees are based on a pro rata basis; costs are divided among the participants in the election.

Director Rogers requested information regarding the TexasET Network Fee with Texas A&M AgriLife Extention. Ms. Jones explained that fee covers costs to receive calculations from data captured by the District's weather station.

#### DISCUSS ONLY REGARDING THE FOLLOWING:

a) <u>Draft Proposed Groundwater Management Plan.</u> President Melder reiterated that at last week's Management Plan hearing it was the Board's decision to postpone

adopting the Management Plan until mid-January to allow for additional time to review and discuss.

#### GENERAL MANAGER'S REPORT:

Ms. Jones reported that Directors' Oath of Office forms have been filed with the Secretary of State as required. In addition, an updated District Registration Form has been completed with the newly elected board information and filed with the TCEQ. Staff has noticed the District's insurance carrier of the change in directors to include newly elected board members under its Public Official Bond.

Last, Ms. Jones discussed the draft notification letter to TWDB and TCEQ regarding the District's November 20, 2018 board action to continue the adoption of the District's management plan until mid-January to allow for further review and discussion by the newly elected board of directors. Director Bouché noted page 2 of Mr. Sledge's letter that the phrase "pursue "readoption" of "the" Management Plan" be changed to read "pursue "adoption" of "a" Management Plan. President Melder requested that all references of re-adoption be replaced with adoption throughout the document.

#### **NEW BUSINESS:**

- a) Next Meeting 6:00 PM, Tuesday, December 11, 2018
  President Melder asked for a restatement of the December meeting agenda items.
  Ms. Kathy Jones recapped the new agenda items proposed for December's Board meeting as 1) consider termination of attorneys with Sledge Law and Martin, Earl & Stilwell, LLC and possible proposals for RFQs for outside legal counsel; 2) discussion and possible subsequent RFQs to consider hydrogeologist and engineer; 3) potential additional contract reviews as requested by Director Rogers; and 4) update on current legal appeal during Executive session followed by discussion and possible action on the current legal appeal.
- b) <u>Director Contact List</u>
   Ms. Jones referenced the board packet and asked all directors to please verify contact information enclosed as correct or mark corrections where needed.

#### **ADJOURN**

There being no further business, upon a motion made by Director Traylor and seconded by Director Spigener, the meeting was adjourned at 4:30 PM.

PASSED, APPROVED, AND ADOPTED THIS 11th DAY OF DECEMBER 2018.

Board Secretary, Stuart Traylor



# SIGN IN SHEET

Do you wish to speak on an agenda item?	NAME	CITY, STATE, ZIP	E-Mail	Would you like to receive LSGCD updates & information?
	TINA FELICAL	CONPOE, TX	DN FILE	
	Simon Sequerca	Magnoolia, tx.	•	
lie i	Kenny Eichelberg	Shessen Jach TX	t in	*
	Wade Oliver	Sugar Land, TX	× ×	
	BOB HARDEN	AUSTIN TX		
	Andy Johns	Housentx	ι	
	Cull dah	MontCo WGD#		
	Michael Bullivan	Conroe	i i	



P. O. Box 2467, Conroe, TX 77305 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: 11/27/18
Name: Richard J Hughes
Address: P.O. Box 7690
City: he Woodland State: Tx Zip: 773877
Email: blue de laware @ g mail com
IF SPEAKING FOR AN ORGANIZATION:
Name of Organization Montgomery County WCID To Speaker's Official Capacity Assistant General Mgv
Agenda Item No.:
GAGAINST (If applicable) Any increase in agoifer production
Registering Position, NOT Testifying
To speak on an item not listed on the agenda, please indicate area of interest:
the shair state
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.

SAN JACINTO RIVER AUTHORITY - WOODLANDS DIVISION GROUND WATER MONITORING PROGRAM

Exhibit "B"

MONTGOMERY COUNTY WCID 1 WELL 1 60-61-613

FEET ABOVE DATUM ELEV: SCREENED INTERVAL:

1.9 150

WATER WELL OWNER: TDWR ID NO: LOCATION/ADDRESS: AQUIFER: SURFACE DATUM ELEV:

**EVANGELINE** 

HORSE POWER:

MEASURE POINT: PUMP SETTING:

2" AIR VENT

680

(updaed 5/2012)

DATE 09/23/83 04/11/84	TIME 01:45 PM	GPM	STATIC		PUMPING		
04/11/84		C)  V	DEPTH		DEPTH	4	~~
			200,67	· ·	- DEF 111	<del></del> -	COMMENT
	03:51 PM		206,11				OFF 1 WK
10/02/84							OFF 5 MC
03/07/85	02:30 PM		218.28				O/S
10/23/85	01:40 PM		231.82				OFF 24 HF
03/11/86	03:50 PM						OFF 1 MO
10/15/86	10:50 AM		228,91		<b>*</b>		OFF 3 MO
04/24/87	09:35 AM		232.68				OFF 1 MO
10/20/87	05:00 PM		248.23				OFF 2 HR
04/19/88			246.34				OFF 2 HR
06/23/88	02:30 PM		232.25				
06/24/88	02:55 PM				350.00		OFF 6 HR
	~ 10:35 AM		250.85				ON ?
10/27/88	01:15 PM		263.00				OFF 19 HR
02/21/89	01:20 PM	المسائلة المعارضة المسائلة الم	248.85				OFF 12 HR
03/12/90	10:35 AM						OFF 12 HR
05/09/91	09:45 AM		249.25				OFF 12 HR
05/19/92	01:10 PM		272.00				OFF?
10/09/92	01:30 PM		272.00				OFF?
08/10/93			230.00				OFF?
10/12/93	02:00 PM		299.00				
04/20/94	09:00 AM		299.00				OFF 2 HR
	08:00 AM		276.00				OFF?
11/30/94	10:18 AM		293.00				OFF 2 DAY
04/18/95	. 03:15 PM		332.00				OFF 12 HR
10/30/95	01:30 PM		309,20	•			OFF 1 WK
05/01/ <del>9</del> 6	10:30 AM		310.50	•			OFF 5 DAY
10/17/96	08:15 AM						OFF 8 HR
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10/15/98			310.00				OFF 24 HR
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10/06/99	11:00 AM		344.70				
	7:35 AM		361,50				OFF 48 HR
04/27/00	7:30 AM		360,40				OFF 12 HR
10/12/00	8:35 AM		382,50				OFF 15 HR
04/10/01	7:50 AM		377.50				OFF 3 MTH
10/04/01	7:10 AM						OFF 9 MTH
04/09/02	12:15 PM		410.00				OFF 21 HR
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	8:40 AM	•	420.00	(A)AiR			OFF 24 HR
04/20/05	8:00 AM		390.00	(A)AIR		12	OFF 15 HR
10/18/05	8:00 AM		445.00				OFF 24 HR
04/27/06	10:23 AM			(A)AIR			OFF 1 HR
10/23/06	7:26 AM	•	431.00	(A)AIR			OFF 15 HR
04/18/07	7:00 AM		445.00	TAPE			OFF 14 HR
10/17/07	8:10 AM		405.00	(A)AIR			OFF 24+ HR
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	7:41 AM	•	450.00	(A)AIR			OFF 17 HR
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10/14/09	MA 00:8		465.00				OFF 18+ HR
04/22/10	7.48 AM			(A)AIR			OFF 3 WKS
10/20/10	7:20 AM		395.00	(A)AIR			Cold
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11.1.13

1:35 PM

WATER WELL OWNER: TOWR ID NO: LOCATION/ADDRESS:

MONTGOMERY COUNTY WOLD 1 WELL 2

FEET 60-53-702A (TEMP) SPREADING OAKS, SPRING, TEXAS SC

AQUIFER: SURFACE DATUM ELEV: MEASURE POINT:

PUMP SETTING:

3/4" AIR VENT 520

EVANGELINE

T ABOVE DATUM ELEV:	1.1
CREENED INTERVAL:	710-850
HORSE POWER:	 150

PUMP SETTING:	520						
DATE	2015		STATIC		PUMPING		
04/08/83	TIME	GPM	DEPTH		DEPTH		COMMENTS
	02:48 PM		208.00	· ·			OFF 30 MIN
09/23/83	02:05 PM		204.72				OFF 45 MIN
04/12/84	03:14 PM		207.12				
10/02/84	02:00 PM		235,33				OFF 6 HR
03/07/85	03:00 PM		217.57				OFF 1 HR
10/23/85	02:15 PM						OFF 3 HR
03/11/86	04:15 PM		238.29				OFF 1 HR
10/10/86		•	228.89				OFF 1 HR
04/24/87	03:55 PM		246,37				OFF 10 MIN
	10:00 AM		234.18				OFF 6 HR
10/20/87	05:20 PM		238.19				OFF 4 HR
04/19/88	01:45 PM		227.15				
06/23/88	03:30 PM		247.25				OFF 6 HR
06/24/88	11:10 AM				320,00		OFF 6 HR
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05/09/91	09:30 AM	790	247.25				OFF 12 HR
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12/09/92	02:00 PM		265.00				OFF?
08/11/93	02:00 PM		300.00				
10/12/93	· 09:30 AM		296,00				OFF 2 HR
04/20/94	09:30 AM		277.00				OFF?
11/30/94	10:50 AM						OFF 1 HR
04/18/95	05;15 PM		291.00				OFF 1 HR
10/30/95			314.00				OFF?
	01:45 PM		306.80				OFF 10 HR
05/01/96	10:48 AM		306.00				OFF?
10/17/96	08;30 AM		310.70				OFF?
04/16/97	09:35 AM		294.95				OFF 12 HR
10/16/97	02:21 PM		326.50				
04/08/98	09:30 AM		304.20				OFF 24+ HR
10/15/98	08:45 AM		368.80				OFF 24 HR
04/29/99	11:32 AM						OFF 15.5 HR
10/06/99	8:10 AM		329.50				OFF 18 HR
04/27/00			364.90				OFF 8 HR
10/12/00	7:55 AM		356.10				OFF 10 HR
	8:50 AM		391.30				OFF 12 HR
04/10/01	8:08 AM		346.00				OFF 15 HR
10/04/01	8:10 AM		400,50				OFF 13 HR
04/09/02	1:11 PM		344.00				OFF 10 DAYS
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	8:25 AM		305.00	(A)AIR			OFF 12 HR
10/18/05	8:12 AM		355.00	(A)AIR			OFF 16 HR
04/27/06	2:38 PM		350,00	(A)AIR			OFF 3 HR
10/23/06	7:43 AM		360.00	TAPE			OFF 14 HR
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Well 2: Turn left on Glenloch off Sawdust, right @ stop sign, Corner of Spreading Oaks & Timberline.

11-1-13

2:35 PM

off?

#### SAN JACINTO RIVER AUTHORITY - WOODLANDS DIVISION GROUND WATER MONITORING PROGRAM

WATER WELL OWNER: TOWR ID NO:

MONTGOMERY COUNTY WOLD 1 WELL 3

FEET ABOVE DATUM ELEV: SCREENED INTERVAL: HORSE POWER:

LOCATION/ADDRESS:

AQUIFER: SURFACE DATUM ELEV:

4" VENT

MEASURE POINT: PUMP SETTING:

440

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		•	STATIC		PUMPING		
DATE	TIME	GPM	DEPTH		DEPTH		COMMENTS
04/09/02	12:52 PM	166.1 = T/	APE, 163.4	= SONAR			OFF?
10/29/02	11:07 AM	190 Air	190.00	Tape	186.40	Sonar	OFF 13 HR
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10/08/03	8:08 AM		230.50				OFF 24 HR
04/21/04	8:35 AM		230,00	Air			OFF 24+ HR
04/27/04	1:45 PM	(recheck due to entity questioned depth	215.00	Αlτ			OFF 6+ HR
10/19/04	8:25 AM	•	225.00	(A)AÍR			OFF 2 WKS
04/20/05	7:45 AM		210.00	(A)AIR			OFF 8 HR
10/18/05	7:45 AM	Jack was present during test	270.00	(A)AIR			OFF 16 HR
04/27/06	10:14 AM	•	260,00	(A)AIR			OFF 3 WKS
10/23/06	7:20 AM		285,00	TÁPE			OFF 14 HR
04/18/07	7:10 AM		275.00	(A)AIR			COLD
10/17/07	8:05 AM	,	290,00	(A)AIR			OFF 15 HR
02/13/08	-	USGS	273.00	. ,			-
04/16/08	7:38 AM		278.30	(A)AIR			OFF 17 HR
10/23/08	7:28 AM		320,00	(A)AIR			OFF 18 HR
04/15/09	7:17 AM		295.00	(A)AIR			OFF 18+ HR
10/14/09	7:45 AM		340.00	(A)AIR			OFF 1.5 HR
10/20/10	7:30 AM		350.00	(A)AIR			OFF 24 HR
04/20/11	7:29 AM		330.00	(A)AIR			OFF 24 HR
10/19/11	8:26 AM		375.00	(A)AIR			OFF 16 HR
05/02/12 .	7:45 AM		265,00	(A)AIR			OFF 24 HR
10/17/12	7:53 AM		295.00	(A)AIR			OFF 24 HR
04/24/13	8:05 AM		254.00	(A)AIR			OFF?HR
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Mail Or Trees which Ol-	11						

Well 3: Turn right on Glenloch off Sawdust, left on Forest Glen. Corner of Spreading Oaks @ ET, back Well.

11.1.17

1-25PM

290,00 AIR

6472thr9

WATER WELL OWNER: TOWR ID NO:

MONTGOMERY COUNTY WOLD 1 WELL 4

FEET ABOVE DATUM ELEV: SCREENED INTERVAL: HORSE POWER:

LOCATION/ADDRESS: AQUIFER: SURFACE DATUM ELEV: MEASURE POINT:

PUMP SETTING:

525

DATE	TIME	GPM	STATIC DEPTH	PUMPING	
04/27/06		G-W		DEPTH	COMMENTS
10/23/06	7:56 AM		239,00	PER OPERATOR	
04/18/07	7:35 AM		240.00	TAPE	OFF 1 mth
10/17/07			230	(A)AIR	OFF 24+ HR
02/24/08	8:30 AM		255,00	(A)AIR	OFF 18 HR
	- USC	35	254.00		-
04/16/08	8:10 AM		231.60	(A)AIR	OFF 17 HR
10/23/08	8:28 AM		270.00	(A)AIR	OFF 22 HR
04/15/09	7:57 AM		255.00	(A)AIR	OFF 18+ HR
10/14/09	8:30 AM		290,00	(A)AIR	OFF 24+
04/22/10	8:09 AM	•	268,00	(A)AIR	OFF 24 + HR
10/20/10	8:10 AM		300.00	(A)AIR	OFF 24 HR
05/11/11	8:22 AM		298.00	(A)AIR	OFF 16 HR
10/19/11	9:08 AM	•	345.00	(A)AIR	OFF 48 HR
05/02/12	8:37 AM	•	310.00	(A)AIR	
10/17/12	8:22 AM	may gray agen	370.00	(A)AIR	OFF 24 HR
04/24/13	9:07 AM	-	300.00	(A)AIR	OFF ? HR
Contact: Jack 713-553	-5406 or Rick 713-553-5407	(Cell Phones)	000.00	(A)AIX	OFF 15 Hrs
DIRECTIONS: CONTA	CT-JACK OR RICK 367-096	9 FAX - 298-1609			
	NLOCH FROM SAWDUST		NID TUDNI LEET		

TURN RIGHT ON GLENLOCH FROM SAWDUST, GO TO FOREST GLEN AND TURN LEFT WELL IS ON CORNER OF SPREADING OAKS AT WATER TOWER, BACK WELL.

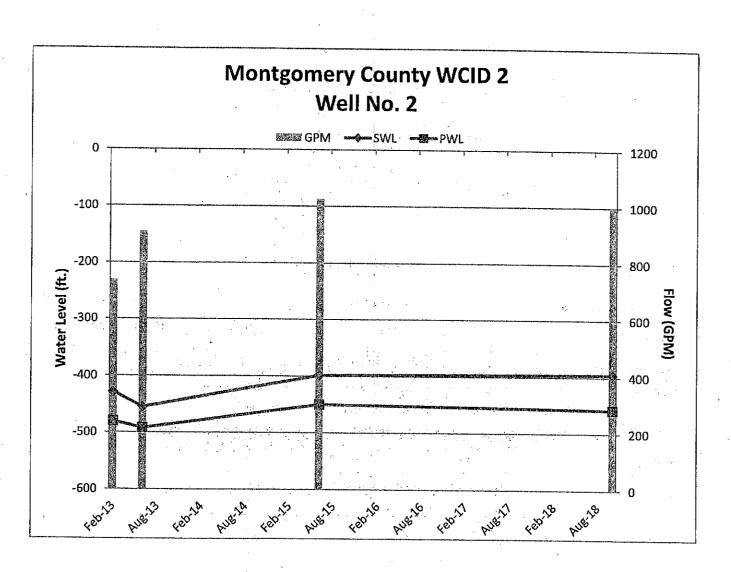
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335,00 AiR

off?

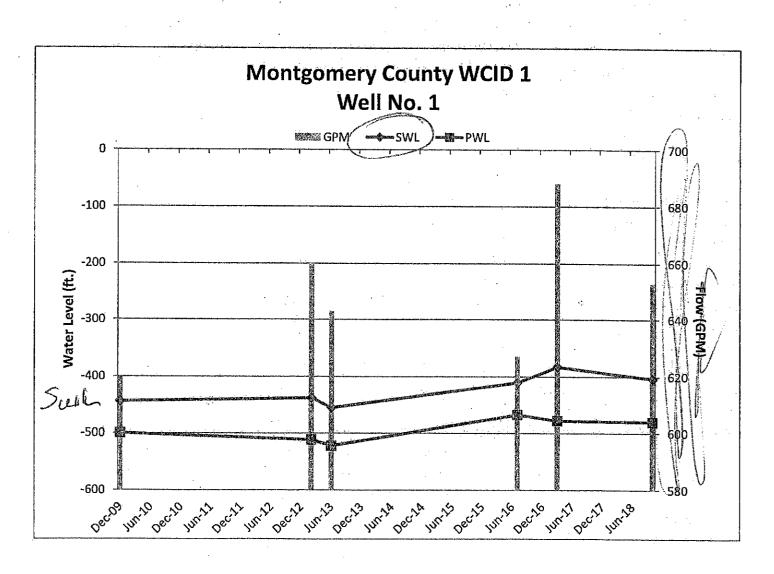


Date	2/15/13	6/19/13	6/5/15	10/11/18
SWL	-429	-455	-398	-395
PWL	-480	-492	-450	-458
GPM	739	909	1026	995
PSI	13	10	14	10



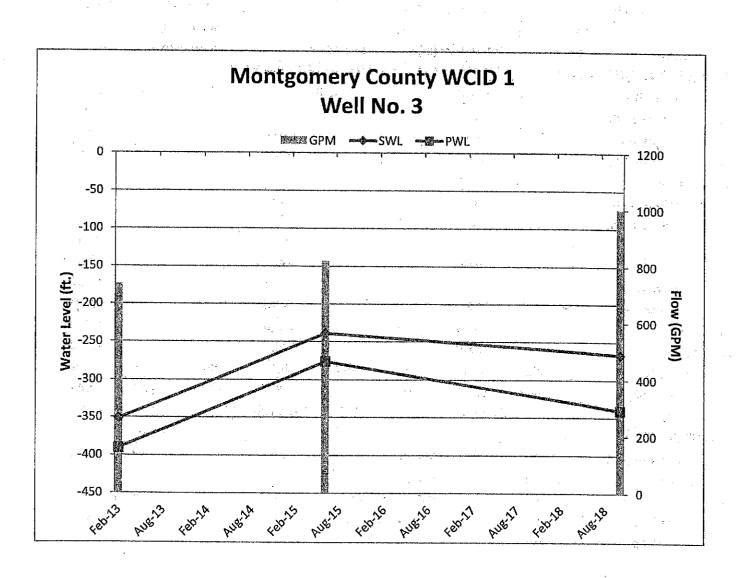


Date	12/17/09	2/7/13	6/14/13	7/6/16	3/1/17	10/11/18
SWL	-444	-438	-455	-411	-383	-404
PWL	-500	-511	-522	-468	-478	-480
GPM	620	660	643	627	688 🧳	653
PSI	68	73	72	70	70	72



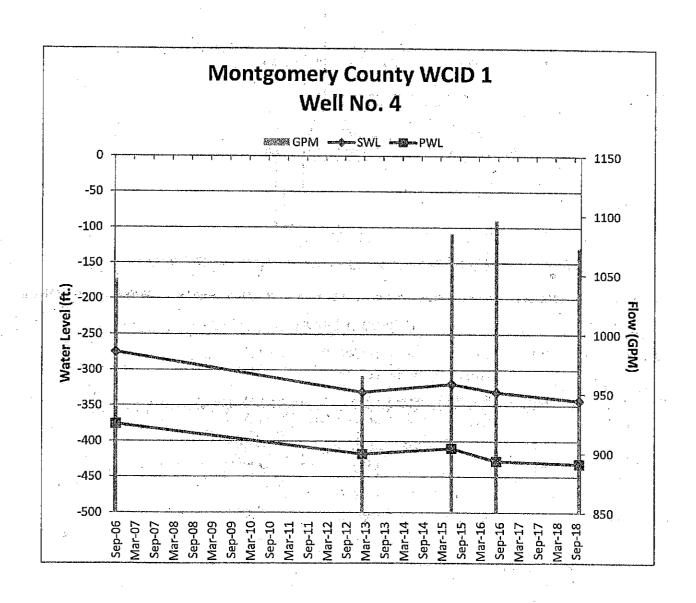


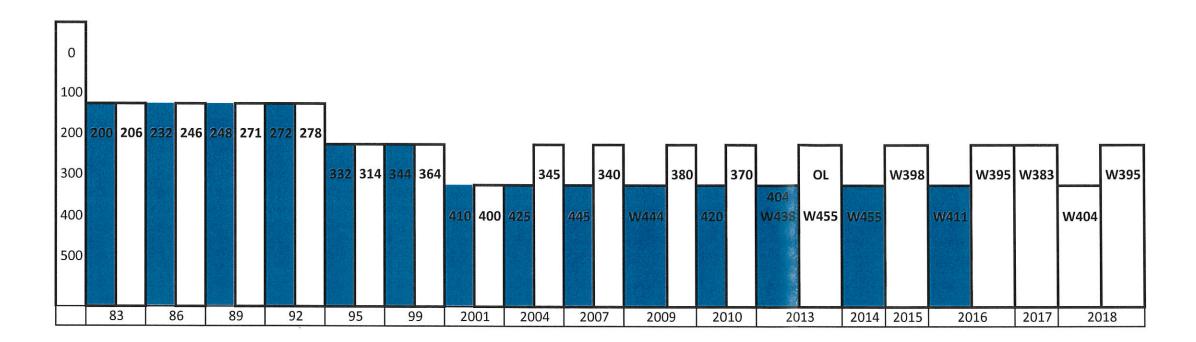
Date	2/7/13	6/2/15	10/10/18
SWL	-351	-239	-267
PWL	-390	-276	-341
GPM	737	819	1001
PSI	63	62	66





Date	9/25/06	2/15/13	6/3/15	8/30/16	10/11/18
SWL	-275	-331	-320	-331	-343
PWL	-376	-418	-410	-428	-432
GPM	1046	965	1085	10,96	1073
PSI	10	14	14	14	14





Well #1 Well #2